

# UNIVERSITY COUNCIL MANUAL

Presidium

Academic year 2023-2024

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## 1. WHY THIS TAKEOVER MANUAL?

The members of the council's staff delegation are elected for a period of two years; the members of the council's student delegation are elected for a one-year period. This Take over manual offers information and practical tips to get you started as a member of the University Council.

## 2. MAASTRICHT UNIVERSITY

Maastricht University (UM) has six faculties and five service centres, managed as a whole by the [Executive Board](#). The service centres provide support services for the other units. The Maastricht University Office (MUO) advises and supports the Executive Board, the faculties and the service centres. The [Supervisory Board](#) monitors the administration and management of the university. The [University Council](#) is the central representative body for staff and students. The [Local Consultative Body](#) is the central council in which employer (Executive Board) and employees discuss topics such as the legal status of employees and working conditions.

The six faculties are:

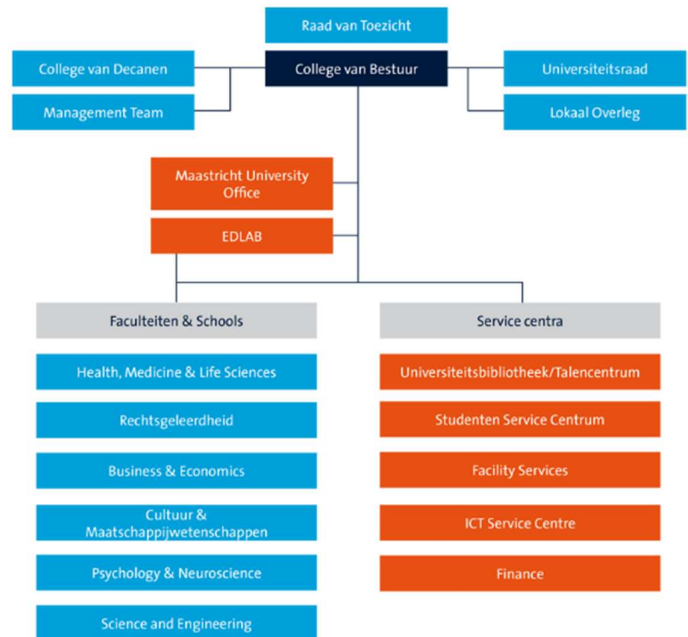
- [Faculty of Arts and Social Sciences](#)
- [Faculty of Health, Medicine and Life Sciences](#)
- [Faculty of Law](#)
- [Faculty of Psychology and Neuroscience](#)
- [Faculty of Science and Engineering](#)
- [Faculty of Business and Economics](#)

The five service centers are:

- [Facility Services](#)
- [Finance](#)
- [ICT Service Centre](#)
- [Student Service Centre](#)
- [University Library](#)

More information about the UM's Graduate Schools and Research Centers can be found under the following

links: <https://www.maastrichtuniversity.nl/research/graduate-schools> and <https://www.maastrichtuniversity.nl/research/institutes>. The Graduate Schools and Research Centers are part of one (or more) of the six faculties at our university.



## **UM Holding B.V.**

UM Holding B.V. Maastricht University Holding B.V. (UMH) was founded in 1992 with the primary aim of providing support for the development and implementation of market-oriented activities at Maastricht University. This concerns activities that are not part of the core tasks of Maastricht University, but do have a direct connection with its tasks and objectives. The UMH participations bring new UM knowledge closer to the market and contribute to commercially applicable inventions and discoveries. UMH is a separate legal entity, the shares of which are wholly owned by Maastricht University.

## **Campus Venlo**

Food, nutrition and logistics are the three main focus points at Campus Venlo. Research and educational topics range from food innovation and the psychology of eating to logistics optimization. Research at Campus Venlo is done in an interdisciplinary fashion within three research lines. Next to this Campus Venlo offers three programs of study: one Bachelor's program (University College Venlo) and two Master's programs (Health Food and Innovation Management/Global Supply Chain Management and Change). Campus Venlo is part of the Faculty of Science and Engineering.

## **Campus Brussel**

The Campus (<https://www.maastrichtuniversity.nl/about-um/other-offices/campus-brussels>) provides a space at the core of the European capital in order to leverage research expertise prevalent within the UM. As such, it acts as a research community hub to connect UM researchers to EU policy-makers and to a community of international scholars working on the EU and beyond. This in turn creates synergies and further opportunities for international research collaboration.

The Campus also functions as UM embassy. This reaches from gathering information for UM and to building a strong network of contacts. The Campus is also a first point of contact and a *'linking pin'* for UM staff, students, alumni and partners with Brussels stakeholders. Offices are available for rent within the Campus to further enhance collaboration between the UM and external partners within the realm of teaching and training.

Campus Brussels offers executive education and training opportunities for professionals working in Brussels, both in and around the EU institutions. Within the teaching and training 'pillar' UM Campus Brussels offers education and training for professionals with executive courses on issues such as Data Protection and Risk governance and with part-time PhD Programmes in European Studies and in Law.

UM Campus Brussels also offers its specialized rooms and facilities, aimed to provide both internal and external organizers with the best tools to host their events. UM Campus Brussels also enables organizers to promote their event through the UM Campus Brussels media channels and through its newsletter.

## **International collaboration**

UM participates in two leading European and international university networks, the [Yerun - Young European Research Universities Network](#), the [Worldwide Universities Network \(WUN\)](#), and the [Young Universities for the Future of Europe \(YUFE\)](#).

YERUN is a collaboration between young research universities that bring new perspectives and try to strengthen the European discussions. By working together, the organization strives to contribute to responding to the developmental challenges of the societies we live in, adopting a European perspective on global issues. The network collaborates in joint research and teaching initiatives and promotes mobility, research capacities and employability of graduates amongst others.

WUN is a leading global higher education and research network made up of 23 universities, spanning 13 countries on six continents. WUN's vision is to be a force in developing innovative solutions to the world's most significant challenges. It draws up power and resources from its members to create opportunities in international research and graduate education, in partnership with government, international organizations and industry.

Young Universities for the Future of Europe: ten dynamic, young, student-centred research-based universities and four non-academic partners from the non-governmental and private sector for an impactful European University. Together, the YUFE partners will establish one of the first true European Universities.

## **Associated organisation**

### **Brightlands**

Brightlands consists of four campuses embracing the following areas of expertise:

- Smart materials and sustainable chemical production (Brightlands Chemelot Campus, location Sittard-Geleen),
- Regenerative medicine, precision medicine & innovative diagnostics (Brightlands Maastricht Health Campus, location Maastricht),
- Data science and smart services (Brightlands Smart Services Campus, location Heerlen),
- Healthy and safe nutrition, future farming and biocircular (Brightlands Campus Greenport Venlo, location Venlo).

Brightlands is the brand name of a joint triple helix initiative of the Dutch province of Limburg, Maastricht University, Maastricht University Medical Center+, Zuyd University of Applied Sciences, Fontys International Campus Venlo, in close partnership with leading companies in specific market areas.

Due to the triple helix approach, both educational institutions as well as (local) government and industry are involved in the projects. Each Brightlands Campus has its own governance structure. The University Council is mainly only involved in Brightlands when it comes to financing and approving CDHO applications for new educational programmes starting on one of the campuses.

### **3. PARTICIPATION**

The Higher Education and Scientific Research Act regulates that each level of the university has associated participation

Each faculty has a faculty council. The Faculty Council fulfils the same function for the individual faculty as the University Council does for the whole university. The Faculty Council is elected by and from staff members and students of the relevant faculty. Its authority is comparable to that of the University Council insofar as it deals with issues that relate to its particular faculty.

Important decisions on personnel matters require approval by the staff representatives in the Council; in such cases, student representatives in the Council have the right to prior consultation. Learn more about the different faculty councils by clicking on the links below.

- [FASoS Faculty Council](#)
- [FHML Faculty Council](#)
- [FSE Faculty Council](#)
- [FL Faculty Council](#)
- [FPN Faculty Council](#)
- [SBE Faculty Council](#)

The University Council as well as the Faculty Council are composed of equal numbers of students and members of staff. Depending on the subject matter, either the staff or the student delegation, or both delegations have the power of consent or advice.

Each service center has a service council. The Service Council is the participatory body within the service centers and the Maastricht University Office. Each of these entities has its own Employees' Council. The Employees' Council is elected by and consists of members of staff. Its position is comparable to that of the Faculty Council in the individual faculties.

When important decisions are to be made, the director of the service center, or office concerned, consults with the Employees' Council. Often the council can only provide advice; sometimes it has ratification authority.

## **4. UNIVERSITY COUNCIL**

The University Council of Maastricht University is a representational body in the sense of the Higher Education and Scientific Research Act (hereinafter WHW) (art. 9.31).

The University Council of Maastricht University (<https://www.maastrichtuniversity.nl/about-um/organisation/participation-representation/university-council>) consists of 20 members. Six members are elected from and by the academic staff (WP), four from and by the support and administrative staff (OBP) and ten from and by the students.

The members of the council's staff delegation are elected for a period of two years; the members of the council's student delegation are elected for a one-year period. The delegations resign in their entirety at the end of their term of office.

### **University Council structure**

The UC is guided by a technical chair (Teun Dekker). That means the chair is not a council member and has no official voting rights. The chair chairs every plenary and Presidium meeting. If the chair is a staff member, the vice-chair is a student, and vice-versa. The chair and the vice-chair are in the Presidium, together with the chairs of the Strategy, R&E and Operations committees. It is common practice that the chair of the Strategy committee is a student member, the chair of the R&E committee is a scientific staff member and the chair of the Operations committee is a support staff member. The chair and the council are supported by the registrar (to be determined) and the secretary (Loic van Rijn). The registry attends every meeting of the council. The UC convenes every other two weeks alternating a committee meeting and a plenary. The plenary is for every council member. The committees consist of appointed council members, striving for an equal balance between students, support and academic staff. Every council member is part of at least one of the three committees. The chairs of the committees are chosen amongst the council members. The task of the presidium is to prepare the council and committee meetings and coordinating the activities of the council and committees and is presided over by the UC chair. The presidium acts on behalf of the council in urgent situations and during the summer recess. The council mandates the presidium to make decisions about the composition of the boards and committees linked to UM to the degree that the council is authorized and with the exception of the duties reserved for the Confidential Committee, in order to promote/accelerate the council's operations.

Both the plenary and committee meetings are preceded by a pre-meeting and are only attended by council members. The pre-meetings are confidential and usually last 1.5 hour for plenary meetings and half an hour to an hour for committee meetings, depending on the chair's preference. Pre-meetings are used by the council to pre-discuss the topics on the agenda and questions the council members have for the Executive Board. After the pre-meeting, the public part of the meeting starts and everyone is allowed to join. The Observant is a regular guest of the public UC meetings. The plenary and committee meetings end with a confidential part which only Council members, the chair and the EB can attend. The committee meetings are scheduled for 2 hours and the plenary meetings for 3 hours. The Executive Board and presidium can invite guests to plenary and committee meetings to provide more information on a topic on the agenda.

## The committees

The UM university council has the following committees: the Strategy Committee, the Research & Education Committee, the Operations Committee and the Confidential Committee.

Each committee consists of a minimum of six and a maximum of ten members and each delegation is represented in the committees by at least one member. Each committee chair comes from another delegation and the Executive Board (EB), consisting of three members, each take part in one of the three committees. The President (Rianne Letschert) attends the Strategy meetings, the Vice chair (Nick Bos) attends the Operations meetings and the Rector Magnificus (Pamela Habibovic) attends the R&E meetings. The task of the committees is to discuss and advice on subject matters belonging to their committee, either put on the agenda by the EB or committee itself, and to decide on the topics that belong on the plenary agenda. The chair of the council attends all committee meetings as an adviser. When the council has the right of consent on a topic on the agenda, it is common practice to first have an in-depth discussion in the committee where the subject is most appropriate to discuss. After the discussion, the chair of the committee will attempt to draft a voting advice for the plenary meeting where the final decision making will take place.

## Additional committees / working groups

Besides the regular committees, there are also committees / working groups that consist out of student representatives from the University Council, as well as representatives from different bodies within UM. The requests for council members to join these working groups reach the council through the registrar throughout the year. Here are some working groups that are re-occurring and that you can allocate someone to at the beginning of the council year. The second column indicates how many members from the University Council can take place in this committee.

<p>Profileringfondos (Financial support)</p> <p><i>Committee dealing with subsidy applications for UM funding of regular student activities such as board months for student and study associations.</i></p>	<b>1</b>
<p>Stimuleringsfondos (Promotion fund)</p> <p><i>Committee dealing with subsidy applications for UM funding of new student activities with the goal of making these initiatives sustainable in the long run.</i></p>	<b>2</b>
<p>Wellbeing Advisory Board</p> <p><i>Attend meetings to get updates on the activities of the UM Psychologists.</i></p>	<b>2</b>
<p>UM Culture</p> <p><i>Support and meet with Kaleido</i></p>	<b>3</b>
<p>Student Project Team (SPT)</p> <p><i>Committee that has meetings with the SPT where feedback is provided on their work.</i></p>	<b>1</b>
<p>Jury Medewerkersprijs</p> <p><i>Each year during the New Year's Reception, the UM employee award is handed out to an employee who is selected by their own co-workers for their dedication and achievements.</i></p>	<b>1</b>
<p>Coosa; Commissie ondersteuning studentenactiviteiten (Universiteitsfonds)</p> <p><i>Committee dealing with subsidy applications for funding from SWOL for new student activities organised by and for students.</i></p>	<b>1</b>
<p>Commissie Kennismakingstijden</p> <p><i>Responsible for co-drafting the Code of Conduct for the introduction period for new members at student associations and independent fraternities/sororities.</i></p>	<b>1/2</b>



Maastrichtse Studentenraad	2
<i>The Maastricht Student Council (MSR) attempts to strengthen the connection between the decision making-process of the municipality of Maastricht and the students of Maastricht. You will provide the council with attention points.</i>	
World Universities Network	1
<i>Attend the WUN conference(s).</i>	
Yerun/YUFE	1
<i>Attend the Yerun/YUFE conference(s).</i>	
PR Committee University Council	1
<i>Assist the registry in promoting the UC to the outside world by communicating our activities and promoting the speaker's quarter.</i>	
Sustainability Committee	1
<i>Committee that works in close relation with the UM Green Office which promotes sustainability at UM in the broadest sense.</i>	
Taskforce for Sustainable Employability (TSFE) – only for staff	2
<i>The taskforce works toward creating a more sustainable working environment</i>	

Besides the committees mentioned above, there are also committees where either staff, or both staff and students take place in. These committees are created ad-hoc and do not exist permanently and are therefore not displayed in an overview. Some committees that were formed in the past were a committee on work pressure, Catering Tender, EDLAB, UMCares, and the Election Committee to name a few.

## Submitting a proposal

When submitting a proposal, it is important to discuss it with the presidium first. Once the proposal is discussed in the presidium, the secretary or registrar will send it to the appropriate board member, with you in cc. Once first contact is established, and any further steps might be required there is usually no need to check with the presidium what to reply and you can just continue the conversation, but with the secretary in cc.

The relevant articles in our rules are 3.1 of the council regulations, and 4.2 sub 1 & 6 and 4.5 sub 1 and 2 of the rules of procedure.

Furthermore, as a general rule of thumb, when you wish to establish first contact in your role as a council member with someone outside of the council, you should consult the presidium first.

## 5. THE POWERS OF THE UNIVERSITY COUNCIL OF MAASTRICHT UNIVERSITY

### General powers

The council has the power to discuss all matters concerning the university, and to present relevant proposals and its respective positions to the Executive Board. The Executive Board will communicate its written and reasoned viewpoint on the aforementioned proposals to the council within three months. Before doing so, the Executive Board will give the council at least one opportunity to confer with the Executive Board on the proposal.

In addition, the council may, at least twice a year, invite the Executive Board to discuss the proposed policy, based on an agenda drawn up by the council.

Excepted from the power of the council as referred to in the first paragraph is the decision-making concerning matters within the competence of a university faculty council, employees' council or the local consultative body.

For more information about the University Council's task, composition, powers, procedures rights and obligations you are invited to read the Maastricht University Council Regulation (available in iBabs and added to this document as appendix I).

## **6. CONFIDENTIALITY**

Please be aware that the council members are sworn to confidentiality on all matters discussed in their capacity as council member, and insofar as the Executive Board or council have imposed confidentiality or insofar as they are expected to understand the confidential nature of the matter. The rule of thumb is that everything that is not presented or discussed in the public part of plenary and committee meetings is deemed confidential. When in doubt, ask the presidium.

The duty of confidentiality does not cease through the termination of council membership or termination of the person concerned professional ties with the university. For more information regarding confidentiality, see art. 6.4 of the Maastricht University Council Regulation.

## **7. RIGHTS AND EXPECTATIONS**

### **Compensation students**

As student member of the University Council, you're entitled to a monthly compensation for your efforts. All student members will receive approximately €500 per month, but student presidium members (chair of strategy and vice-chair) will receive approximately €750 per month because of the extra time investment. In addition to a monthly compensation, student members without a presidium position receive 4 board months and student presidium members 5 board months.

### **Compensation staff**

As staff member of the University council, your department will be granted 0.2 FTE (or 0.3 FTE if you are a member of both the University Council and a Committee Chair / part of the Presidium). The compensation is based on the current salary at the start of the membership of the University Council and will be paid per academic year. The Executive Board has instructed the decentralized units to grant University Council members release time equivalent to the compensation paid. Alternatively, scientific staff members can have the money added to their personal research budgets. However, the arrangements have to be discussed with the relevant department heads before the start of the term. The faculties and departments are not permitted take overhead from the compensation. If you need to provide information on this to your department, please ask the UC chair for the compensation documents which have been approved by the Executive Board.

Additionally, each staff member receives a personal remuneration of 320 Euro. In order to receive the personal remuneration, a form has to be filled in which you will receive from the registrar shortly after the start of your term.

### **Attendance for University Council Members**

The above remuneration may be reduced if presence at meetings is less than 75%. This applies to the plenary meetings and one committee membership. If a member has been present at less than 75% of the meetings (calculated at the end of the year), the compensation to the decentralized unit may be proportionally reduced.

## 8. ANNUAL REPORT MAASTRICHT UNIVERSITY

For the Annual Report of Maastricht University, please check:

<https://tools.maastrichtuniversity.nl/umjaarverslag2021/index.html>

## 9. COMMONLY USED ABBREVIATIONS

<b>AA</b>	Academic Affairs. AA advises the Executive Board and faculties with respect to policy in research, education, internationalisation, campus development and the strategy of the university.
<b>BBRUM</b>	'Bestuurs- en Beheersreglement UM', the UM Administrative and Management Regulations (See for BBRUM: <a href="https://www.maastrichtuniversity.nl/nl/over-de-um/organisatie/gedragscodes-reglementen">https://www.maastrichtuniversity.nl/nl/over-de-um/organisatie/gedragscodes-reglementen</a> ).
<b>CBB</b>	Coordinating Director's Board; recurring meeting of the vice-president and the directors of the faculties and service centres on the university business practices and related topics.
<b>CeQuint</b>	Institutional level Certificate for Quality in Internationalisation. This CeQuInt Certificate for Quality in Internationalisation is to show that Maastricht University adheres to a high quality, internationally recognised standard on internationalisation in higher education, and that it has successfully incorporated an international and intercultural dimension into the purpose, function and delivery of education.
<b>CDHO</b>	De Commissie Doelmatigheid Hoger Onderwijs (The Commission Efficiency Higher Education): <a href="https://www.cdho.nl">https://www.cdho.nl</a> . <a href="https://www.cdho.nl/">https://www.cdho.nl/</a>
<b>CPD</b>	Continues Personal Development.
<b>EB</b>	Executive board
<b>EDLAB</b>	EDLAB is the Maastricht University institute for education and innovation and promotes an optimal learning experience for students of Maastricht University, by advancing the field of teaching and learning for both students and staff.
<b>iBabs</b>	iBabs is a portal to run and organize board meetings more efficiently and paperless. Once you are a member of the University Council, you will get access to Ibabs where you can find information about all meetings of the University Council and the commissions from 2015 until now.
<b>IOS</b>	Interfaculty Meeting on Student Affairs (the director SSC and the heads of the education offices of the faculties).

<b>ISO</b>	Dutch National Students' Association (Interstedelijk Studenten Overleg) ( <a href="http://www.iso.nl/english/">http://www.iso.nl/english/</a> ).
<b>ITK</b>	Institutional quality assurance on education audit.
<b>LA</b>	Legal affairs.
<b>LSVb</b>	Advocacy organization for all students in the Netherlands (Landelijke studenten vakbond) ( <a href="https://dutchstudentunion.nl/">https://dutchstudentunion.nl/</a> ).
<b>'Luik'</b>	The funds available to UM in 2018 are internally allocated via the UMA (University of Maastricht Allocation Model), which consists of four panels. Faculties receive funds directly via panel 1 (current activities) for the primary tasks of education and research. The funds under the Student Loan System are provided to the faculties via panel 2. Panel 3 is intended for (costs arising from) UM-wide strategic initiatives, such as the implementation of UM's strategic plan, campus developments and contributions to Knowledge Axis projects. Panel 4 provides funds for central items and collective services. This includes the allocation for MUO, the service centres, central management, decentralised employment terms policy, CAS/CIS and central overhead.
<b>MT</b>	Management team. The management team is composed of the Executive Board members and the faculty deans. The Executive Board regularly discusses in the management team administrative/managerial and strategic matters relating to the university and its units.
<b>MUO</b>	Maastricht University Office, the central administrative unit.
<b>PBL</b>	Problem Based Learning. Problem-based learning (PBL) is a truly student-centered approach to learning and a unique feature of education at UM. PBL was first developed in Canada in the 1960s in medical education. UM was one of the first universities to adapt this approach and implement it in medical education and later in other scientific disciplines. With decades of research and experience, UM has become an expert in PBL and has substantially contributed to the development of this educational approach and does still to this day.
<b>VSNU</b>	The association of Universities in the Netherlands. <a href="https://www.vsnu.nl/en_GB">https://www.vsnu.nl/en_GB</a> .
<b>SB</b>	Supervisory Board.
<b>SSC</b>	Student Service Centre. Maastricht University's Student Services Centre helps students with a wide range of issues related to studying and student life.
<b>STEM</b>	An inter-faculty focus area in the disciplines Science, Technology, Engineering and Mathematics. For several years, Maastricht University, together with partners such as the Province of Limburg, has been investing in scientific research and education in the STEM disciplines, where the starting point is always: How can we maximize the synergies? Where are the best opportunities to make a difference in the future?

<b>SVM</b>	Study Advance means (Studievoorschotmiddelen). Also abbreviated as <b>SAM</b> sometimes.
<b>UM</b>	Maastricht University
<b>ZDN</b>	Zelfdragende notitie or self-supporting note in English. These are memos which contain all necessary information in one overview.

## **10. APPENDIX**

- I. MAASTRICHT UNIVERSITY COUNCIL REGULATION
- II. RELEVANT BBRUM ARTICLES
- III. RELEVANT ARTICLES OF THE HIGHER EDUCATION AND SCIENTIFIC RESEARCH ACT
- IV. RULES OF PROCEDURE UNIVERSITY COUNCIL

# **APPENDIX I    MAASTRICHT UNIVERSITY COUNCIL REGULATION**

MAASTRICHT UNIVERSITY

## MAASTRICHT UNIVERSITY COUNCIL REGULATION

Following consent obtained from the University Council  
laid down by the Executive Board  
in its meeting of 17 February 1998  
and following subsequent consent from the University Council  
laid down with amendments by the Executive Board on 29 June 1999,  
28 February 2000, 29 January 2001, 4 May 2004, 10 October 2011 and 29 August 2017.

Maastricht, August 2017

JZ 17.011 (UK)

This is a translation of the document 'Reglement Universiteitsraad UM'.

In case of a difference of interpretation, this translation cannot be used for legal purposes and the Dutch text of these regulations will be binding.

## **CONTENTS**

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Chapter 2	Composition and elections
Chapter 3	General powers
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Chapter 8	Final provisions



## **CHAPTER 1   GENERAL PROVISIONS**

### **Article 1.1   Definitions**

In this regulation, the following definitions apply:

- |                                 |   |
|---------------------------------|---|
| a. act                          | the Higher Education and Scientific Research Act (Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek, WHW);           |
| b. university                   | Maastricht University (UM);   |
| c. Supervisory Board            | the university's Supervisory Board defined in Article 9.8 of the act;   |
| d. Executive Board              | the university's Executive Board defined in Article 9.2 of the act;   |
| e. council                      | the University Council of Maastricht University defined in Article 9.31 of the act;   |
| f. staff                        | university staff with a permanent or fixed-term employment contract, regardless of the scope thereof;                       |
| g. student                      | the individual enrolled at the university as a student;   |
| h. delegation                   | the academic staff, support and administrative staff, or students;  |
| i. institutional plan           | the plan that gives a description of the content of and specifies the proposed policy as defined in Article 2.2 of the act; |
| j. Arbitration Committee        | the arbitration committee defined in Article 9.39 of the act;   |
| k. Local Consultative Body (LO) | the body for organised consultation as defined in Article 4.5, paragraph 5, of the act.                                     |

### **Article 1.2   Objective**

The council aims to promote the smooth running of university affairs in accordance with the applicable statutory provisions, the rules laid down in the administrative and management regulations of the university (BBRUM), and this regulation.

### **Article 1.3   Tasks**

1. The council promotes openness, transparency and mutual discussion within the university to the best of its abilities.
2. The council is responsible for considering the perspectives and interests of staff and students within the framework of the university's objectives.
3. The council is further responsible for generally guarding against any form of discrimination and, in particular, promoting the equal treatment of men and women as well as the involvement of disabled or chronically ill persons and persons with a migration background.

## **CHAPTER 2   COMPOSITION AND ELECTIONS**

### **Article 2.1   Composition**

1. The council consists of 20 members: six elected from and by the academic staff, four elected from and by the support and administrative staff, and ten elected from and by the student body.
2. The following positions are incompatible with council membership: member of the Supervisory Board, member of the Executive Board, member of a faculty board, secretary-director of a faculty, executive secretary of the University Council, secretary of the Supervisory Board, executive director of the Maastricht University Office (MUO) or director of a service centre.
3. The council selects a chair and deputy chair from its midst or otherwise. The chair – or in the event of absence, the deputy chair – represents the council in legal proceedings as defined in Article 9.46 of the act.
4. The Executive Board appoints an official executive secretary to support the council.

### **Article 2.2   Elections**

The election of council members is governed by the election regulations laid down by the Executive Board.

### **Article 2.3   Term of office**

1. A council member's term of office commences on 1 September of the election year or, if later, when the election results become final.
2. The members of the council's staff delegation are elected for a two-year period. The members of the council's student delegation are elected for a one-year period.
3. The delegations resign in their entirety at the end of their term of office.

## **CHAPTER 3   GENERAL POWERS**

### **Article 3.1   General powers**

1. The council has the power to discuss all matters concerning the university, and to present relevant proposals and its respective positions to the Executive Board. The Executive Board will communicate its written and reasoned viewpoint on the aforementioned proposals to the council within three months. Before doing so, the Executive Board will give the council at least one opportunity to confer with the Executive Board on the proposal.
2. In addition, the council may, at least twice a year, invite the Executive Board to discuss the proposed policy, based on an agenda drawn up by the council.
3. Excepted from the power of the council as referred to in the first paragraph is the decision-making concerning matters within the competence of a university faculty council, employees' council or the local consultative body.

## **CHAPTER 4   SPECIAL POWERS**

### **Article 4.1   Right of consent of the University Council**

1. The Executive Board requires the prior consent of the council for each decision that the Executive Board proposes to take regarding the adoption or amendment of:
  - a. the institutional plan<sup>1</sup> referred to in Article 2.2 of the act (including the main elements of the housing plans);
  - b. the development of the quality assurance system in accordance with Article 1.18, paragraph 1, of the act, as well as the proposed policy in light of the results of the quality assurance evaluation, as referred to in Article 2.9, paragraph 2, second sentence, of the act;
  - c. the student charter referred to in Article 7.59 of the act;
  - d. the university administrative and management regulations (BBRUM), referred to in Article 9.4 of the act;
  - e. rules concerning the working conditions;
  - f. the choice from representation systems, as referred to in Article 9.30, paragraph 1, of the act;
  - g. the Executive Board's policy regarding application of Article 7.51 of the act and the rules referred to in paragraph 4 of that article.
2. The Executive Board also requires the prior consent of the council regarding:
  - a. the outlines of the annual budget, referred to in Article 2.8 (including the Maastricht University allocation model and the memorandum on the allocation of funds). The power of consent shall not be exercised with respect to a budget component whose contents are provided for in a regulation issued by or pursuant to the law.
  - b. the establishing<sup>2</sup> and ending of degree programmes;
  - c. the establishing or amending of guidelines concerning organisation and coordination of education and research;
  - d. the ensuring of student facilities;
  - e. the creation of a legal entity by UM Holding BV, including the establishment of subsidiaries;
  - f. the adaption or amendment of the election regulations;
  - g. the adaption or amendment of the rules of procedure for the Board of Appeal for Examinations;
  - h. the appointment of members of the Board of Appeal for Examinations, the editorial board of Observant, the board of Observant, and the committee members of Studium Generale;
  - i. the awarding of the Dr. Tanspenning.

### **Article 4.2   Right of consent of the staff delegations**

1. The Executive Board requires the prior consent of the council's staff delegations for each decision that the Executive Board proposes to take with regard to matters of general interest concerning the specific legal status of the university's staff.
2. The right of consent in the matters referred to in paragraph 1 is not exercised insofar as the particular matter has already been substantively regulated for the university by or pursuant to statutory provisions or a collective labour agreement. The right of consent is likewise not exercised insofar as the representation regarding the particular matter has already been effectuated in another manner.

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<sup>1</sup> This is also referred to at UM as the 'strategic programme'.

<sup>2</sup> This is also referred to at UM as the macro-efficiency file with underlying programme and/or businessplan

#### **Article 4.2 Right of consent of the student delegation**

The Executive Board requires the prior consent from the part of the university council elected from among and by the students insofar the distribution of the administrative grants for university associations/foundations that are not university sports associations is concerned.

#### **Article 4.3 Right of advice of the University Council**

1. The Executive Board requires the prior consent of the council for each decision the Executive Board proposes to take regarding:
  - a. matters concerning the continued existence of and smooth running of affairs within the university;
  - b. the budget, which must also indicate the amount of the institutional tuition fee and the tuition fee referred to in Article 6.7 paragraph 1 and Article 6.8, paragraph 1 respectively;
  - c. the annual investment agenda (as part of the budget);
  - d. an intended expenditure or long term obligation having a monetary value that exceeds EUR 5 million;
  - e. an intended expenditure or long term obligation having a monetary value between EUR 2.5 million and EUR 5 million that has not been included in the annual investment agenda and budget;
  - f. the concluding of joint regulations between two or more universities regarding education and research;
  - g. the Executive Board's entering into intensive collaborative arrangements with third parties;
  - h. the creation of, or participation in, a legal entity by the Executive Board, other than that referred to in Article 4.1 paragraph 2 under e;
  - i. decisions concerning financial participation in UM Holding BV and associated legal entities;
  - j. designation of bachelor's programmes for which the initial registration for the propaedeutic phase can be restricted based on available teaching capacity;
  - k. designation of degree programmes which are subject to Binding Study Advice (BSA);
  - l. designation of degree programmes for which a decentralised selection procedure can be used;
  - m. awarding of an honorary doctoral degree;
  - n. regulation of remuneration for board activities.
2. The Supervisory Board requests prior advice from the council regarding:
  - a. an intended decision of the Supervisory Board referred to in Article 9.8 paragraph 1 under a of the act, with respect to the appointment or discharge of Executive Board members;
  - b. an intended decision of the Supervisory Board referred to in Article 9.3 paragraph 3 and Article 9.7 paragraph 4 of the act regarding the profiles for the appointment of the Executive Board and Supervisory Board members respectively.

#### **Article 4.3a Right of advice of the student delegation**

1. The Executive Board requests prior advice from that part of the council elected from among and by the students for each decision the Executive Board proposes to take regarding in any event:
  - a. the general HRM and remuneration policy, unless Article 4.2, paragraph 2, applies;
  - b. the policy concerning the institutional tuition fees referred to in Article 7.46 and the tuition fee referred to in Article 6.7 paragraph 1 of the act;
  - c. the Executive Board's regulations concerning refunding of the statutory tuition fee referred to in Article 7.48, paragraph 4, of the act;

- d. the regulation of the selection criteria and the selection procedure referred to in Article 6.7a, first paragraph, under b, or, as the case may be, Articles 7.26, 7.26a and 7.53, paragraph 3 of the act, and, insofar as the selection procedure is concerned, Article 7.30b, paragraph 2 of the act;
- e. the regulation of the criteria and the procedure for exemption from payment of the higher tuition fee, referred to in Article 6.7a, paragraph 1, under c of the act,
- f. the rules regarding the selection referred to in Article 7.9b, paragraph 1 of the act,
- g. the rules regarding the study choice recommendations and study choice activities, referred to in Article 7.31b, paragraph 4 of the act.

#### **Article 4.4 Other University Council powers**

1. The council has the corresponding power referred to in Article 10, paragraph 2, opening words and under d, of the National Human Rights Institute Act (Wet college voor de rechten van de mens) if it believes that a distinction is being made in the university as referred to in the Equal Treatment Act, in Article 646, Book 7, of the Dutch Civil Code (Burgerlijk Wetboek) or in the Equal Treatment Men and Women Act (Wet gelijke behandeling van mannen en vrouwen).
2. The part of the council elected from among and by the staff has power concerning the working conditions (which are granted) to the council under the Working Conditions Act (Arbeidsomstandighedenwet) and the Order in Council (Algemene Maatregel van Bestuur) pursuant to Article 16 of that act.
3. The council has power concerning the working conditions in the university, insofar as this does not concern decisions to be taken by the Executive Board as referred to in Article 4.1, under e, of this regulation.
4. Subject to the provisions in Article 2.3, third paragraph, of the Maastricht University administrative and management regulations, the council may make a recommendation to the Minister regarding the appointment of a Supervisory Board member.
5. Before the Supervisory Board appoints or dismisses Executive Board members, it consults confidentially with the University Council.

#### **Article 4.5 Deliberations aimed to form an opinion**

The council may also discuss and express its opinion on subjects besides those listed in Article 4.1 and Article 4.3.

#### **Article 4.6 Right of consent procedure**

1. For the proposed decision of the Executive Board that requires the consent of the council, or the relevant delegation, the council or the relevant delegation must in principle decide to approve it or withhold consent at the following council meeting or in any case within six weeks of receiving the proposed decision, unless the council and Executive Board jointly set another deadline.
2. If the council or relevant delegation has not come to a decision within the set period, the proposed decision will be deemed to have been approved by the council or relevant delegation.

#### **Article 4.7 Right of advice procedure**

1. If a decision to be taken must be presented to the council for advice beforehand under Article 4.3 or 4.3a, the Executive Board and the Supervisory Board respectively ensures that:
  - a. advice is requested at such a time that it can actually affect the decision-making;

- b. the council or the delegation is given the opportunity to consult with it before advice is issued;
  - c. the council is given written notice as soon as possible of the manner in which action has been taken on the advice issued and
  - d. if the Executive Board and the Supervisory Board respectively does not wish to follow the advice in whole or in part, the council is given the opportunity to consult with it further before the decision becomes final.
2. In principle, the council or relevant delegation determines its advice in the next meeting of the council, but in any case no later than six weeks after receiving the Executive Board's request that it issue advice, unless the council and Executive Board jointly set another deadline.
  3. If the council or relevant delegation has not come to a decision within the set period, the council or relevant delegation will be deemed to have issued a favourable recommendation on the proposed decision.

**Article 4.8 Meeting of the University Council with the Executive Board**

1. The Executive Board and the University Council will meet at least six times per year. Members of the Supervisory Board may attend these meetings.
2. The Executive Board and the University Council will further meet within a reasonable period, but in any case within four weeks, if the Executive Board, council or the council's staff or student delegation submits a reasoned request.
3. The Executive Board will give the council the opportunity to meet and discuss the general state of university affairs with it at least twice a year.
4. The council may, at least twice a year, invite the Executive Board to discuss the proposed policy, based on an agenda drawn up by the council. The council and Executive Board agree each year on the date the discussion will occur, with the discussion being tied in as much as possible to the meetings between the council and the Executive Board which have already been set, or the meetings in which the general state of affairs will be discussed with the Executive Board.
5. In the meeting, university-related matters will be discussed as the Executive Board or the council sees fit or insofar as prescribed by or pursuant to the act or this regulation. Article 3.1 applies *mutatis mutandis*.
6. As a rule, the Executive Board members attend the meeting. The Board may be assisted by advisers.
7. The chair of the council, or his/her deputy, will preside over the meeting.
8. The agenda of the meeting will contain items submitted by the Executive Board, the council or one of the delegations before the meeting. A report will be made of each meeting.
9. The chair will adjourn a meeting if the Executive Board or the council considers separate deliberation concerning a specific matter desirable.
10. If, during a particular meeting or portion thereof, a predominantly personal interest of one of the council's members is at issue, the council may determine that the member in question will not participate in that meeting or portion. The council will then also stipulate that the matter concerned will be discussed in a closed meeting.
11. The previous paragraph applies *mutatis mutandis* if the personal interests of a member of the Executive Board or Supervisory Board are at issue.

## **CHAPTER 5 UNIVERSITY COUNCIL PROCEDURE**

### **Article 5.1 Procedure**

1. The University Council will not decide on matters presented to it by the Executive Board until the Executive Board has been given the opportunity to orally clarify and, if needed, discuss these with the council, unless the Executive Board and council have decided otherwise.
2. Valid decisions can only be taken when at least 50% plus one of the members are present. Vacancies will not be taken into account when determining the number of members. The resulting number will be rounded off to a whole number. Unless the chair is elected from the council's members, s/he will not have a right to vote.
3. Unless statutory provisions or provisions in this regulation prescribe a different majority, decisions will be taken by a simple majority of the number of votes validly cast, without considering blank votes.
4. Voting per ballot will take place when at least one of the attending members of the meeting so requests.
5. Council members vote according to their personal opinion without instructions from or consultation with others.
6. If no decision can be taken based on paragraph 2 of this article, the chair will convene a new meeting, which will take place no earlier than four days and no later than ten days afterwards, in which only items on the original agenda can be discussed and decided on. If the second meeting again lacks the required number of attending members to take a decision, the proposed decisions presented for consent or advice by the Executive Board in accordance with Article 4.1 and Article 4.3 respectively will nevertheless be discussed, and decisions will be taken in accordance with paragraph 3 of this article.
7. If no decisions are taken due to an equal division of votes, the chair will call a second meeting in accordance with paragraph 6 of this article. If in this meeting no decisions can be taken again because of an equal division of votes, the proposed decisions submitted by the Executive Board for consent or advice will be deemed to have received consent or a favourable recommendation.
8. Proposals submitted to the council for consent or advice must be sent to the council one week before the meeting in which they will be discussed, unless otherwise agreed.
9. The council will notify the Executive Board in writing, including reasons, of a decision regarding a proposal as soon as possible or in any case within one week.

### **Article 5.2 Public access of meetings**

1. The council meetings are open to the public, unless the council decides otherwise due to the subject matter.  
A decision to hold a closed meeting must be supported by reasons.
2. With regard to matters discussed in a closed meeting or closed part of a meeting, the attending members will observe confidentiality as stipulated in Article 6.4.
3. If a meeting, or part of a meeting, concerns the personal interest referred to in Article 4.8 paragraph 10 or 11, the council also decides to handle the matter in a closed meeting or closed part of the meeting.
4. A confidential report will be made of the closed meeting or closed part of the meeting.
5. The chair decides on the wording in which a decision taken in the closed meeting or closed part of the meeting will be made public, unless confidentiality applies in accordance with Article 6.4.



### **Article 5.3      Creation of committees**

1. The council can set up committees to help prepare matters to be discussed by the council. A committee cannot execute the council's powers nor legally act on behalf of the council, unless the council decides otherwise.
2. If two or more committees are responsible for the preparation of a matter to be discussed by the council, the council can set up an ad hoc committee or decide to convene a joint meeting of the committees concerned.
3. As a rule, an Executive Board member attends the committee meetings to provide the necessary information and clarification.  
The Executive Board may be assisted by advisers.
4. Article 4.8 paragraph 8 up to and including paragraph 11 and Article 5.2 applies to the committee meetings.

### **Article 5.4      Rules of procedure**

The council sets rules of procedure further regulating its procedure and the conduct of its meetings, which may not conflict with the act or this regulation. The rules of procedure must at least cover the council meetings, voting, decision-making and reporting procedures.

### **Article 5.5      Written report**

The council provides a written report each year about its activities and ensures that all parties concerned at the university can inspect the report.

The council ensures that the council meeting agendas and reports are sent to the Executive Board, faculty boards and faculty councils and are made available for inspection by interested persons at a publicly accessible location at the university.

## **CHAPTER 6   RIGHTS AND OBLIGATIONS**

### **Article 6.1    Obligation to inform**

1. The Executive Board provides the council, at its own initiative, in a timely manner with all information that the council reasonably and fairly requires for the performance of its duties and upon request, in a timely manner with all the information the council reasonably and fairly considers necessary for the performance of its duties, including in any case, at least once a year, information about the scope and substance of the employment conditions-related regulations and agreements per group for the persons working at the university, the Executive Board members and the Supervisory Board.
2. At the start of the academic year, the Executive Board furnishes to the council in writing the basic details about the composition of the Executive Board, the Supervisory Board, the organisation within the university and the main elements of the policy already adopted.
3. At least once a year, the Executive Board provides the council written notice of the policy followed by it in the past year and the policy intentions for the coming year concerning the university with respect to financial, organisational and educational matters. The Executive Board immediately informs the council of its intentions regarding the matters described in the institutional plan.
4. The Executive Board regularly meets with the council chair to ensure, insofar as possible, a productive decision-making process.
5. The information provided by the Executive Board as referred to in paragraphs 1 through 3 of this article will be in writing, unless otherwise agreed.
6. The Executive Board provides the information as soon as possible but in any case within three weeks after the council request reached the Executive Board. This period may only be exceeded in exceptional cases, and the fact that it is being exceeded must be communicated to the council, including reasons, before the period expires.
7. Without prejudice to paragraphs 1 through 3 of this article, the council will timely inform the Executive Board of its wish to receive additional information before or during the meeting.
8. The Executive Board may invite the council chair to attend Executive Board meetings.

### **Article 6.2    Complaints service**

1. The Executive Board will ensure that council members, including candidate and former members, are not disadvantaged in their positions within the university due to their council membership or their potential or former council membership. Termination of the position of a person working at the university may not be related to his/her potential, current or former council membership, unless this occurs at the person's own request. Termination of the position in violation of the provisions in this paragraph will be invalid.
2. A council member who feels disadvantaged in his/her position within the university as a result of his/her membership will inform the Executive Board of this in writing, including reasons.
3. The Executive Board will set up a complaints committee consisting of three members within three weeks after receiving the complaint referred to in paragraph 2.
4. At least two members of the complaints committee must be from a different faculty or central-level administrative unit than the one that employed the person concerned in the period covered by the complaint.
5. The complaints committee invites the person concerned to be heard within a week after it has received the complaint.
6. The Executive Board decides whether the complaint is valid or not within two weeks of receiving the advice prepared by the complaints committee, unless the Executive Board decides that it is in the interest of the case to postpone it for a maximum of two weeks.

### **Article 6.3 Facilities and training**

1. The Executive Board provides the council and its members with the opportunity to properly execute the tasks referred to in the act, within the framework of the available funds, services and facilities.
2. With due observance of the provisions in Article 9.48 of the act, the Executive Board adopts further regulations regarding:
  - a. exemptions from activities for staff members;
  - b. fixed reimbursement of expenses;
  - c. training;
  - d. the council's budget, as included in the university budget.

### **Article 6.4 Duty of confidentiality**

1. The council members are sworn to confidentiality on all matters discussed in their capacity, and insofar as the Executive Board or council have imposed confidentiality or insofar as they are expected to understand the confidential nature of the matter.
2. The person or entity imposing confidentiality must also communicate which written or oral information is to remain confidential as well as the period of confidentiality, and whether there are any persons for whom confidentiality does not need to be observed.  
If the reasons for confidentiality cease, the person or entity that imposed confidentiality must notify the council.
3. If a council member, in the judgment of the council majority, has breached the duty of confidentiality set out in the first paragraph of this article, the council chair will issue a warning to the person concerned.  
If the same council member breaches the duty of confidentiality a second time, s/he will be excluded from the closed meetings or closed parts of the meetings and will not be provided information subject to confidentiality for three months.
4. The duty of confidentiality does not cease through the termination of council membership or termination of the person concerned's professional ties with the university.

## **CHAPTER 7   Disputes concerning representation**

### **Article 7.1   Procedure after consent is withheld**

1. If a proposed decision of the Executive Board does not receive the required consent from the council or the relevant delegation, the Executive Board will consult with the council or relevant delegation.
2. Following the consultation, the Executive Board decides to:
  - maintain the proposal, or
  - present an amended proposal to the council, or
  - withdraw the proposal.The Executive Board notifies the council of its decision as soon as possible but at least within two months.  
If this notice is not provided within two months, the proposal will lapse.
3. If the Executive Board wishes to maintain the proposal, the Executive Board or council will determine that there is a dispute.
4. The Executive Board or council will notify the Supervisory Board of the dispute.

### **Article 7.2   Procedure after advice is withheld**

1. If the Executive Board wishes to wholly or partly deviate from the council's advice regarding a proposal as referred to in Article 4.3 or 4.3a, the Executive Board notifies the council of this within four weeks.
2. The notification in the previous paragraph must be written and supported by reasons.
3. Unless the Executive Board and the council decide otherwise regarding the point in time, the council will decide in its following meeting whether to stand by its original advice after reconsidering the applicable interests.  
If the council finds no reason to amend its original advice, the Executive Board must note in its decision that it deviated from the council's recommendation.
4. The Executive Board will postpone implementation of the decision for four weeks, unless the council does not object to its immediate implementation.
5. The Executive Board or council will notify the Supervisory Board of the dispute.

### **Article 7.3   Procedure regarding non-compliance with statutory obligations**

1. If the Executive Board or the council does not comply with an obligation described in Articles 9.32 through 9.36 of the act, the body concerned will request compliance within a reasonable period.  
If, after this request, the body concerned still does not comply with the obligations described, the Executive Board or council will determine that there is a dispute.
2. The Executive Board or council will notify the Supervisory Board of the dispute.

### **Article 7.4   Procedure after notification of the dispute**

1. The Supervisory Board examines whether the dispute between the Executive Board and council can be settled amicably.
2. If an amicable settlement is not possible, the Executive Board or council will refer the dispute to the Participation Arbitration Committee referred to in Article 9.39 of the act.
3. The Arbitration Committee has the power to effectuate an amicable settlement between the parties.

4. If an amicable settlement as referred to in paragraph 3 is not reached, the Arbitration Committee will resolve the dispute referred to it by issuing a binding decision, with its reviewing whether:
  - the Executive Board has complied with the requirements of the act and the University Council Regulation;
  - the Executive Board, in balancing the relevant interests, could have reasonably put forward the proposal or reached the decision;
  - the Executive Board acted negligently towards the council.
5. If the Executive Board has not obtained consent from the council, the Executive Board may, in derogation of paragraph 4, ask permission from the Arbitration Committee to take the decision. The Arbitration Committee will only give permission if the council's decision not to provide consent was unreasonable or if the proposed decision by the Executive Board is necessitated by compelling organisational, economic or social reasons. Insofar as a dispute involves the outlines of the budget and the Arbitration Committee has not granted the Executive Board permission to take a decision before 1 January of the year to which the budget pertains, the Executive Board may avail itself, to cover expenses in that year, of a maximum of four twelfths of the amounts featured in corresponding sections of the budget for the preceding year, until the Arbitration Committee has taken a decision regarding the granting of permission.
6. If the decisions referred to in Article 4.1 under a, b, or d and second paragraph under a are involved, the Arbitration Committee will, in derogation of paragraph 5, second sentence, assess whether the Executive Board or council, in balancing the relevant interests, could have reasonably reached the decision.
7. A decision by the Participation Arbitration Committee may be appealed to the Enterprise Division of the Amsterdam Court of Appeal, as further provided in Article 9.46 of the act.

## **CHAPTER 8   FINAL PROVISIONS**

### **Article 8.1   Adoption or amendment of this regulation**

This regulation and each amendment thereof will be presented to the council by the Executive Board and will not be laid down by the Executive Board until two-thirds of the number of council members have, after consultation, consented to the regulation (in amended form or not).

### **Article 8.2   Unforeseen circumstances**

In circumstances which are related to matters governed but not explicitly covered by this regulation or if this regulation is open to differing interpretations, the Executive Board will provide the council with a relevant proposal; in urgent cases, a proposal can be sent within the period set in Article 5.1, paragraph 8, or be communicated orally at the meeting.

The council decides on the proposal by a simple majority of the votes validly cast, without considering blank votes; if the required number of members for this decision-making process is not present, the decision of the majority of attending members will be decisive.

### **Article 8.3   Entry into force**

With due observance of Article 8.1 of this regulation, this regulation takes effect on the day after it is laid down by the Executive Board.

## **APPENDIX II**

## **RELEVANT BBRUM ARTICLES**

### **CHAPTER III**

### **REPRESENTATION**

#### Section 1      System

#### **Article 3.1**      **Representation system**

1. Pursuant to Article 9.30 of the Act, the Works Councils Act does not apply to the university.
2. The university has a University Council as referred to Article 9.31 of the Act.
3. Each faculty has a Faculty Council as referred to in Article 9.37 of the Act.
4. The Maastricht University Office and the service centres each have an Employees' Council as referred to in Article 9.50 of the Act.

#### Section 2      Elections

#### **Article 3.2**      **Elections**

The elections of the members of the University Council, the Employees' Councils and the Faculty Councils are organised on the basis of the election regulations adopted by the Executive Board.

#### Section 3      University Council

#### **Article 3.3**      **University Council**

1. The University Council has 20 seats.
2. Half of the council members are elected from and by the university staff; the other half are elected from and by the students.
3. The seats are distributed as follows:
  - a. six seats for academic staff;
  - b. four seats for support and administrative staff;
  - c. ten seats for students.
4. The term of office for University Council members is two years for staff members and one year for students.
5. Membership to the University Council is incompatible with membership to the Executive Board, Supervisory Board and the Faculty Board, and the position of faculty secretary-director, University Council executive secretary, Supervisory Board secretary, Maastricht University Office executive director and service centre director.
6. The University Council appoints a chair from its members or otherwise.

#### **Article 3.4**      **General powers and duties**

1. At least twice a year, the Executive Board enables the University Council to discuss the university's general state of affairs with it as stated in Article 9.32, paragraph 1, of the Act.
2. At least twice a year, the Supervisory Board consults with the University Council as stated in

Article 9.8, paragraph 2, of the Act.

3. The council is authorised to make proposals to the Executive Board on all university-related matters and to express its viewpoints as stated in Article 9.32, paragraph 2, of the Act.
- 3a. The council is also authorised to invite the Executive Board at least twice per year to discuss the proposed policy on the basis of an agenda drawn up by the council.
4. To the best of its ability, the council strives to promote openness, public access and mutual consultation within the university.
5. In general, the council guards against any form of discrimination in the university and, in particular, promotes the equal treatment of men and women, as well as the inclusion of people with a disability or chronic illness and persons with a migration background.
6. At least once a year, the Executive Board informs the council in writing of the policy it pursued in the previous year and of its policy intentions for the coming year with regard to the university's finances and organisation and teaching at the university. The Executive Board informs the council without delay of its intentions regarding the matters described in the institutional plan.
7. Further, the Executive Board provides the council, on its own initiative, in a timely manner with all the information that the council reasonably and fairly requires for the performance of its duties and upon request, in a timely manner with all the information the council reasonably and fairly considers necessary for the performance of its duties.
8. At least once a year, the Executive Board supplies the University Council with information about the scope and substance of the employment-related schemes and agreements for each group of individuals working at the university, the Executive Board members and the Supervisory Board.
9. The University Council can make a recommendation to the minister regarding the appointment of a Supervisory Board member, with due observance of the provisions in Article 2.3, paragraph 3, of these regulations.

### **Article 3.5 Right of consent<sup>3</sup>**

1. The Executive Board requires at least the University Council's prior consent for each board decision adopting or amending:
  - a. the institutional plan;
  - b. the development of the quality assurance system in line with Article 1.18, paragraph 1, of the Act, as well as the proposed policy in light of the results of the quality assurance evaluation referred to in Article 2.9, paragraph 2, second sentence, of the Act;
  - c. the student charter;
  - d. the university's administrative and management regulations;
  - e. rules concerning working conditions;
  - a. the choice of representation system;
  - b. the Executive Board's policy in applying Article 7.51 of the Act to the 'Profileringsfonds', except for the determination of the size of the Profileringsfonds, as well as the procedural rules referred to in paragraph 4 of that Article.
2. The Executive Board also requires the prior consent of the council regarding the outlines of the annual budget, referred to in Article 2.8 of the Act. The power of consent shall not be exercised with respect to a budget component whose contents are provided for in a regulation issued by or pursuant to the law.

### **Article 3.5a Right of advice; student members' right of advice**

1. The Executive Board requests prior advice from the University Council for each board decision regarding:
  - a. matters concerning the continued existence of and smooth running of affairs within the university;
  - b. the budget, which must indicate the amount of the institute-specific tuition fees and the

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<sup>3</sup> This list, is derived from Article 9.33 of the Act. Extension of the rights (consent and advice) is provided for by the University Council regulations in accordance with Article 9.34 of the Act. See also Article 3.6.



- tuition fees referred to in Article 6.7, paragraph 1, or Article 6.8, paragraph 1.
2. The Executive Board requests prior advice from that part of the University Council made up of and elected by the students for each board decision regarding:
    - a. the general HRM and remuneration policy, unless Article 9.36, paragraph 2, of the Act applies;
    - b. the policy concerning the institute-specific tuition fees referred to in Article 7.46 and the tuition fees referred to in Article 6.7, paragraph 1, of the Act;
    - c. the regulations concerning refunds of the statutory tuition fees referred to in Article 7.48, paragraph 4, of the Act;
    - d. the regulation for the selection criteria and the section procedure referred to in Article 6.7a, paragraph 1, under (b) or Articles 7.26, 7.26a and 7.53, paragraph 3, and for the selection procedure referred to in Article 7.30b, paragraph 2, of the Act;
    - e. the regulation for the criteria and the procedure for exemption from payment of the higher tuition fee, referred to in Article 6.7a, paragraph 1, under (c) of the Act;
    - f. the rules for the selection procedure referred to in Article 7.9b, paragraph 1, of the Act;
    - g. the rules with respect to the advice regarding choice of study programme and study activities, referred to in Article 7.31b, paragraph 4, of the Act.
  3. The Supervisory Board requests prior advice from the council regarding:
    - a. an intended decision of the Supervisory Board referred to in Article 9.8 paragraph 1 under a of the act, with respect to the appointment or discharge of Executive Board members;
    - b. an intended decision of the Supervisory Board referred to in Article 9.3 paragraph 3 and Article 9.7 paragraph 4 of the act regarding the profiles for the appointment of the Executive Board and Supervisory Board members respectively.

### **Article 3.6 University Council regulations**

1. The Executive Board adopts the University Council regulations with due observance of Article 9.34 of the Act. These regulations at least set out:
  - a. the matters in which the council has a right of consent and the matters mentioned in Article 9.33 of the Act;
  - b. the matters in which the University Council has a right of advice and the matters mentioned in Article 9.33 of the Act;
  - c. the number of council members;
  - d. the manner and organisation of University Council member elections, with due observance of the university's election regulations referred to in Article 3.2, and on the understanding that candidates for that part of the University Council made up of and elected by the staff can be put forward by the staff and by staff organisations;
  - e. the term of office for University Council members;
  - f. the manner in which the Executive Board supplies the council with information;
  - g. the periods within which the council must decide to grant or withhold consent, and the periods within which it must issue advice;
  - h. the powers exercised by the Faculty Councils;
  - i. the granting to that part of the council made up of staff of powers concerning working conditions which have been granted to the University Council pursuant to the Working Conditions Act (Arbeidsomstandighedenwet) and the order in council based on Article 16 of the Working Conditions Act;
  - j. the granting to the University Council of a power in line with Article 10, paragraph 2, heading and under (d), of the Netherlands Institute for Human Rights Act (Wet College voor de rechten van de mens), with Article 21, paragraph 2, of the Equal Treatment (Men and Women) Act (Wet gelijke behandeling van mannen en vrouwen) applying by analogy;
  - jj. the way in which the power granted to the council in Article 9.32, paragraph 2a, of the Act, concerning the minimum period for the Executive Board invitation, is deployed.
  - k. the granting to that part of the council made up of staff of powers concerning working conditions, insofar as these do not relate to decisions to be taken by the Executive Board as referred to in Article 9.33, under (e), of the Act;
  - l. which of the disputes between the Executive Board and the University Council for which the Act does not provide for a dispute resolution procedure are submitted to the dispute

- resolution committee referred to in Article 9.39 of the Act, who can submit a dispute to the committee and whether the committee is asked to provide mediation or a judgment, insofar as the dispute resolution committee's regulations allow for this option;
- m. which group of persons connected to the university other than pursuant to a public appointment or based on an employment contract, or other than based on enrolment as a student or external student, are considered staff members or students;
  - n. provisions for the situation in which, in a council meeting or a part thereof, a particularly personal interest of a council member is at issue under Article 9.32, paragraph 7, of the Act.
2. The University Council regulations are adopted and amended by the Executive Board, after they have been submitted to the University Council as a proposal and after at least two-thirds of the council members have consented to the proposal.

#### **Article 3.6a Special powers**

- 1. The Executive Board must obtain prior consent from that part of the University Council made up of and elected by the staff for any decision to be taken by the Executive Board regarding matters of general interest for the specific legal status of the university's staff.
- 2. The right of consent referred to in the first paragraph is not exercised insofar as the matter in question has already been substantively regulated for the university in a regulation under or pursuant to the Act or a collective labour agreement. Nor is the right of consent exercised insofar as the right of participation regarding the matter in question has already been exercised in another manner.

#### **Article 3.7 Public access and reports**

- 1. The University Council meetings and meeting documents are public, unless the council decides otherwise.
- 2. The council ensures that the council agendas and reports are sent to the Executive Board and the Faculty Councils.
- 3. The University Council reports annually on its activities in writing and ensures that the report is available to all those involved at the university. The University Council sends a copy of the report to the Executive Board, the Faculty Boards and the Faculty Councils.

## **APPENDIX III RELEVANT ARTICLES FROM THE HIGHER EDUCATION AND SCIENTIFIC RESEARCH ACT**

### **Paragraaf 1. Medezeggenschap binnen de universiteit**

#### **Artikel 9.31. Universiteitsraad**

- 1 Aan een universiteit is een universiteitsraad verbonden.
- 2 Het aantal leden van de raad bedraagt ten hoogste vierentwintig leden.
- 3 De raad bestaat voor de helft uit leden die door en uit het personeel worden gekozen, en voor de helft uit leden die door en uit de studenten worden gekozen.
- 4 Zij die deel uitmaken van het college van bestuur of de raad van toezicht dan wel belast zijn met de functie van decaan van een faculteit, kunnen niet tevens lid zijn van de raad.
- 5 Kandidaten voor de verkiezingen van het deel van de raad dat uit en door het personeel wordt gekozen, kunnen worden gesteld door personeelsleden en door organisaties van personeel.
- 6 De verkiezing van de leden van de raad geschiedt bij geheime schriftelijke stemming. Stemming voor een geleding van de raad vindt slechts plaats, indien het aantal kandidaat-leden van een geleding groter is dan het aantal zetels ten behoeve van die geleding.
- 7 De raad stelt een reglement op voor de zaken van huishoudelijke aard en regelt tevens de wijze waarop door het college van bestuur beschikbaar gestelde middelen voor die raad en de eventuele faculteitsraden en commissies als bedoeld in [artikel 9.47](#) worden verdeeld.
- 8 De raad kiest al dan niet uit zijn midden een voorzitter en een of meer plaatsvervangende voorzitters. De voorzitter, of bij diens verhindering een plaatsvervangende voorzitter, vertegenwoordigt de raad in rechte.

#### **Artikel 9.32. Algemene bevoegdheden en taken universiteitsraad en raadsleden**

- 1 Het college van bestuur stelt de universiteitsraad ten minste twee maal per jaar in de gelegenheid de algemene gang van zaken in de universiteit met hem te bespreken. Het college van bestuur en de raad komen met elkaar bijeen, indien daarom onder opgave van redenen wordt verzocht door het college van bestuur, de raad, het deel van de raad dat uit en door het personeel is gekozen, of het deel van de raad dat uit en door de studenten is gekozen.
- 2 De raad is bevoegd over alle aangelegenheden de universiteit betreffende aan het college van bestuur voorstellen te doen en standpunten kenbaar te maken. Het college van bestuur brengt op de voorstellen, bedoeld in de eerste volzin, binnen drie

maanden een schriftelijke, met redenen omklede reactie uit aan de raad in de vorm van een voorstel. Alvorens over te gaan tot het uitbrengen van de in de vorige volzin bedoelde reactie, stelt het college van bestuur de raad ten minste eenmaal in de gelegenheid met hem overleg te plegen over zijn voorstel.

2a De raad is voorts bevoegd het college van bestuur ten minste twee maal per jaar uit te nodigen om het voorgenomen beleid te bespreken aan de hand van een door hem opgestelde agenda.

3 De raad bevordert naar vermogen openheid, openbaarheid en onderling overleg in de universiteit.

4 De raad waakt voorts in de universiteit in het algemeen tegen discriminatie op welke grond dan ook en bevordert in het bijzonder de gelijke behandeling van mannen en vrouwen alsmede de inschakeling van personen met een handicap of chronische ziekte en allochtonen. Het reglement voor de raad, bedoeld in [artikel 9.34](#), bepaalt of de raad een overeenkomstige bevoegdheid bezit als bedoeld in [artikel 10, tweede lid, aanhef en onderdeel d, van de Wet College voor de rechten van de mens](#). In dat geval is [artikel 21, tweede lid, van de Wet gelijke behandeling van mannen en vrouwen](#) van overeenkomstige toepassing voor wat betreft het onderscheid, bedoeld in die wet of in [artikel 646 van Boek 7 van het Burgerlijk Wetboek](#).

5 Het college van bestuur verstrekt de raad aan het begin van het studiejaar schriftelijk de basisgegevens met betrekking tot de samenstelling van het college van bestuur, de raad van toezicht, de organisatie binnen de universiteit en de hoofdpunten van het reeds vastgestelde beleid. Het college van bestuur stelt de raad ten minste eenmaal per jaar schriftelijk in kennis van het door hem in het afgelopen jaar gevoerde beleid en van de beleidsvoornemens voor het komende jaar ten aanzien van de universiteit op financieel, organisatorisch en onderwijskundig gebied. Het college van bestuur stelt de raad onverwijld in kennis van voornemens met betrekking tot de aangelegenheden, beschreven in het instellingsplan.

6 Onverminderd het vijfde lid, verschaft het college van bestuur de raad, ongevraagd, tijdig alle inlichtingen die deze voor de vervulling van zijn taak naar redelijkheid en billijkheid nodig kan hebben en, gevraagd, tijdig alle inlichtingen die deze voor de vervulling van zijn taak naar redelijkheid en billijkheid nodig acht. Daaronder worden in ieder geval begrepen ten minste eenmaal per jaar gegevens over de hoogte en inhoud van de arbeidsvoorwaardelijke regelingen en afspraken per groep van de in de instelling werkzame personen, de leden van het college van bestuur, en de raad van toezicht.

7 Indien bij een bepaalde vergadering of een onderdeel daarvan een bij uitstek persoonlijk belang van een van de leden van de raad in het geding is, kan de raad bepalen dat het betrokken lid aan die vergadering of dat onderdeel daarvan niet deelneemt. De raad bepaalt dan tevens dat de behandeling van de desbetreffende aangelegenheid in een besloten vergadering plaats heeft.

8 De raad doet jaarlijks schriftelijk verslag van zijn werkzaamheden en draagt er zorg voor dat alle bij de universiteit betrokkenen van het verslag kennis kunnen nemen. De raad draagt er zorg voor dat de agenda's en verslagen van de vergaderingen van de

raad worden toegezonden aan het college van bestuur, aan de faculteitsraden en aan de eventuele commissies, bedoeld in [artikel 9.47](#), en ter inzage worden gelegd op een algemeen toegankelijke plaats op de universiteit ten behoeve van belangstellenden. De raad stelt de in de vorige volzin bedoelde commissies ten minste eenmaal per jaar in de gelegenheid om over aangelegenheden die de desbetreffende commissie in het bijzonder aangaan, met hem overleg te voeren.

9 Het college van bestuur draagt er jegens de raad zorg voor dat de leden van de raad niet uit hoofde van hun lidmaatschap daarvan worden benadeeld in hun positie met betrekking tot de universiteit. De eerste volzin is van overeenkomstige toepassing ten aanzien van kandidaat-leden en voormalige leden.

10 De beëindiging anders dan op eigen verzoek van de betrekking van een aan de universiteit werkzame persoon mag geen verband houden met de kandidaatstelling voor het lidmaatschap, het lidmaatschap of het voormalig lidmaatschap van de betrokkene van de raad. Een beëindiging van de betrekking in strijd met het in dit lid bepaalde is nietig.

### **Artikel 9.33. Instemmingsbevoegdheid universiteitsraad**

1 Het college van bestuur heeft de voorafgaande instemming van de universiteitsraad voor elk door het college van bestuur te nemen besluit met betrekking tot ten minste de vaststelling of wijziging van:

- a. het instellingsplan, bedoeld in [artikel 2.2](#),
- b. de vormgeving van het systeem van kwaliteitszorg overeenkomstig [artikel 1.18](#), alsmede het voorgenomen beleid in het licht van de uitkomsten van de kwaliteitsbeoordeling, bedoeld in [artikel 2.9, tweede lid tweede volzin](#),
- c. het studentenstatuut, bedoeld in [artikel 7.59](#),
- d. het bestuurs- en beheersreglement, bedoeld in [artikel 9.4](#),
- e. regels op het gebied van de arbeidsomstandigheden,
- f. de keuze uit medezeggenschapsstelsels, bedoeld in [artikel 9.30, eerste lid](#), en
- g. het beleid van het instellingsbestuur bij de toepassing van de [artikelen 7.51 tot en met 7.51g](#) en de regels, bedoeld in [artikel 7.51h](#).

2 Het college van bestuur heeft eveneens de voorafgaande instemming van de universiteitsraad over de hoofdlijnen van de jaarlijkse begroting, bedoeld in [artikel 2.8](#). Het instemmingsrecht wordt niet uitgeoefend indien het een onderdeel van de begroting betreft dat inhoudelijk is geregeld in een bij of krachtens de wet gegeven voorschrift.

3 Het college van bestuur heeft eveneens de voorafgaande instemming van de universiteitsraad met het besluit een opleiding in het buitenland te verzorgen als bedoeld in [artikel 1.19a, eerste lid](#).

### **Artikel 9.33a. Adviesbevoegdheid universiteitsraad; adviesbevoegdheid studentengleding**

1 Het college van bestuur vraagt voorafgaand advies van de universiteitsraad voor elk door het college van bestuur te nemen besluit in ieder geval met betrekking tot:

- a. aangelegenheden die het voortbestaan en de goede gang van zaken binnen de universiteit betreffen,
- b. de begroting, waaruit onder meer de hoogte van het instellingscollegegeld en die van het collegegeld, bedoeld in [artikel 6.7, eerste lid](#), onderscheidenlijk [artikel 6.8, eerste lid](#), dienen te blijken.

2 Het college van bestuur vraagt voorafgaand advies van het deel van de universiteitsraad dat uit en door de studenten is gekozen, voor elk door het college van bestuur te nemen besluit in ieder geval met betrekking tot:

- a. het algemeen personeels- en benoemingsbeleid, tenzij [artikel 9.36, tweede lid](#), van toepassing is,
- b. het beleid ten aanzien van het instellingscollegegeld, bedoeld in [artikel 7.46](#) en het collegegeld, bedoeld in [artikel 6.7, eerste lid](#),
- c. de regeling van het instellingsbestuur ten aanzien van terugbetaling van wettelijk collegegeld, bedoeld in [artikel 7.48, vierde lid](#),
- d. de regeling die het instellingsbestuur vaststelt voor de selectiecriteria en de selectieprocedure bedoeld in [artikel 6.7a, eerste lid, onder b](#), onderscheidenlijk [artikel 7.26, 7.26a](#) en [7.53, derde lid](#), en voor zover het de selectieprocedure betreft [artikel 7.30b, tweede lid](#),
- e. de regeling die het instellingsbestuur vaststelt voor de criteria en de procedure voor dispensatie van betaling van het hogere collegegeld, bedoeld in [artikel 6.7a, eerste lid, onder c](#), en
- f. de regels die het instellingsbestuur vaststelt met betrekking tot de selectie, bedoeld in [artikel 7.9b, eerste lid](#),
- g. de regels die het instellingsbestuur vaststelt met betrekking tot de studiekeuzeadviezen en studiekeuzeactiviteiten, bedoeld in [artikel 7.31b, vijfde lid](#).

3 De aanhef van het eerste lid is van overeenkomstige toepassing op:

- a. een voorgenomen besluit van de raad van toezicht als bedoeld in [artikel 9.8, eerste lid, onder a](#), met betrekking tot het benoemen of ontslaan van de leden van het college van bestuur;
- b. een voorgenomen besluit van de raad van toezicht als bedoeld in [artikel 9.3, derde lid](#), en [9.7, vierde lid](#), met betrekking tot de profielen voor de benoeming van de leden van het college van bestuur onderscheidenlijk de raad van toezicht.

### **Artikel 9.34. Reglement universiteitsraad**

1 Het college van bestuur stelt, met inachtneming van de voorschriften bij of krachtens deze titel, een reglement voor de universiteitsraad vast.

2 Het college van bestuur legt het reglement, daaronder elke wijziging ervan mede begrepen, als voorstel aan de raad voor en stelt het niet vast dan voorzover het voorstel de instemming van twee derden van het aantal leden van de raad heeft verworven.

3 In het reglement worden ten minste geregeld:

- a. de aangelegenheden waarover de raad, onverminderd [artikel 9.33](#), instemmingsrecht heeft,
- b. de aangelegenheden waarover de raad, onverminderd [artikel 9.33a](#), adviesrecht heeft,
- c. het aantal leden van de raad,
- d. de wijze en organisatie van de verkiezingen van de leden van de raad,
- e. de zittingsduur van de leden van de raad,
- f. de wijze waarop het college van bestuur informatie verschaft aan de raad,
- g. de termijnen binnen welke tot instemming of onthouding van instemming dient te worden besloten, en de termijnen binnen welke advies dient te worden uitgebracht,
- h. de bevoegdheden die door de faculteitsraden worden uitgeoefend,
- i. de toekenning aan het deel van de raad dat uit en door het personeel is gekozen, van de bevoegdheden inzake de arbeidsomstandigheden die krachtens de [Arbeidsomstandighedenwet](#) en de algemene maatregel van bestuur op grond van [artikel 16 van die wet](#) aan de medezeggenschapsraad zijn toegekend,
- j. de toekenning aan de raad van een overeenkomstige bevoegdheid als bedoeld in [artikel 10, tweede lid, aanhef en onderdeel d, van de Wet College voor de rechten van de mens](#), waarbij dan [artikel 21, tweede lid, van de Wet gelijke behandeling van mannen en vrouwen](#) van overeenkomstige toepassing is,
- j1. de wijze waarop invulling wordt gegeven aan de bevoegdheid die in [artikel 9.32, lid 2a](#), aan de raad is toegekend waaronder de minimale termijn waarop het college van bestuur kan worden uitgenodigd,
- k. de toekenning aan de raad of het deel van de raad dat uit en door het personeel is gekozen, van de bevoegdheden inzake de arbeidsomstandigheden in de universiteit voorzover deze niet betreffen te nemen besluiten van het college van bestuur, bedoeld in [artikel 9.33 onderdeel e](#), en
- l. welke van de geschillen tussen het college van bestuur en de raad, waarvoor deze wet niet in een geschillenregeling voorziet, worden voorgelegd aan de commissie voor geschillen, bedoeld in [artikel 9.39](#), wie het geschil aanhangig kan maken en of daarbij de commissie om bemiddeling dan wel een oordeel wordt verzocht, voorzover de commissie voor geschillen in haar reglement daarvoor de mogelijkheid biedt.

4 In het reglement kan, indien dit bevorderlijk is voor een goede toepassing van deze titel, worden bepaald dat een of meer groepen van personen die anders dan krachtens publiekrechtelijke aanstelling of op grond van een arbeidsovereenkomst dan wel anders dan op grond van een inschrijving als student of extraneus aan de universiteit zijn verbonden, worden aangemerkt als personeelsleden onderscheidenlijk studenten.

### **Artikel 9.35. Advies**

Indien een te nemen besluit op grond van [artikel 9.33a](#) of het reglement van de universiteitsraad, krachtens [artikel 9.34, derde lid onderdeel b](#), vooraf voor advies dient te worden voorgelegd aan de raad, draagt het college van bestuur onderscheidenlijk de raad van toezicht er zorg voor dat:

- a. advies wordt gevraagd op een zodanig tijdstip dat het advies van wezenlijke invloed kan zijn op de besluitvorming,
- b. de raad in de gelegenheid wordt gesteld met hem overleg te voeren voordat advies wordt uitgebracht,
- c. de raad zo spoedig mogelijk schriftelijk in kennis wordt gesteld van de wijze waarop aan het uitgebrachte advies gevolg wordt gegeven, en
- d. de raad, indien het college van bestuur onderscheidenlijk de raad van toezicht het advies niet of niet geheel wil volgen, in de gelegenheid wordt gesteld nader overleg met hem te voeren alvorens het besluit definitief wordt genomen.

### **Artikel 9.36. Bijzondere bevoegdheden**

1 Het college van bestuur behoeft de voorafgaande instemming van het deel van de universiteitsraad dat uit en door het personeel is gekozen, voor elk door het college van bestuur te nemen besluit met betrekking tot aangelegenheden van algemeen belang voor de bijzondere rechtstoestand van het personeel in de universiteit.

2 Het instemmingsrecht in aangelegenheden als bedoeld in het eerste lid wordt niet uitgeoefend, voorzover de desbetreffende aangelegenheid voor de universiteit reeds inhoudelijk is geregeld in een bij of krachtens de wet gegeven voorschrift of een collectieve arbeidsovereenkomst. Het instemmingsrecht wordt evenmin uitgeoefend, voorzover de medezeggenschap met betrekking tot de desbetreffende aangelegenheid reeds op andere wijze is uitgeoefend.



## **APPENDIX IV**

## **RULES OF PROCEDURE UNIVERSITY COUNCIL**

MAASTRICHT UNIVERSITY  
UNIVERSITY COUNCIL

RULES OF PROCEDURE

Laid down by the University Council in its meeting of 26 June 2003 and amended in its meeting of 28 June 2017, 29 May 2019 and 28 June 2023.

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## **CHAPTER 1 GENERAL PROVISIONS**

### **Article 1.1 Definitions**

In these rules, the following definitions apply:

Act:	The Higher Education and Research Act (WHW);
Addendum:	Any addendum formally adopted by the University Council as part of these Rules of Procedure;
University:	Maastricht University (UM);
Executive Board:	The university's Executive Board;
Council:	The university's University Council;
Chair:	The council chair;
Committee:	The strategy committee, the research & education committee and/or the operations committee;
Presidium:	The presidium referred to in Article 3.1 of this regulation;
Registrar:	The registrar referred to in Article 2.1, paragraph 4- of the UM University Council regulation;
Delegation:	The academic staff, support staff or student delegation;
Personnel Delegations:	The council members of the academic staff and the support staff;
Student Delegation:	The council student members;
Electoral Regulations:	Electoral regulations for the election of the University Council, the service councils and the faculty councils of Maastricht University;
Central Elections Office:	The Central Elections Office referred to in Section 3 of the Elections Regulations;
Day:	Calendar day;
Supervisory Board:	The Supervisory Board of the University.

Where these Rules of Procedure employ terms that correspond with terms defined in the act, these terms shall be assigned the meaning of the terms in the act.

Any addendum shall be considered an integral part of the Rules of Procedure. In the event of any conflict or inconsistency between the provisions of these Rules of Procedure and any addendum, the terms of the Rules of Procedures shall prevail to the extent of such conflict or inconsistency, unless the council decides otherwise in accordance with Article 6.1.

## **CHAPTER 2 COUNCIL MEMBERS AND CHAIR**

### **Article 2.1 Council members**

1. The council members are elected from and by the university's personnel and students in accordance with the Electoral Regulations.
2. When informing individual candidates that they have been elected as council members, the Central Elections Office simultaneously informs the chair. The chair will inaugurate the member during the next council meeting where they are present, or, in the case of an election for the following academic year, during the final meeting of the current academic year on the understanding that, in that case, membership will not take effect until the start of the new academic year.
3. Council membership shall end by default after the period as mentioned in Article 4 paragraph 1 of the Electoral Regulations. Council membership may be terminated on the grounds set out in Article 4 paragraph 3 of the Electoral Regulations.
4. If a council member fails to notify the chair and the Central Elections Office of the fact that they no longer meet the requirements for membership, the chair shall terminate their membership in writing and with immediate effect as soon as it becomes aware of this. The chair shall inform the Central Elections Office as soon as possible of the vacancy.
5. A vacancy because of a termination shall be filled in accordance with the procedure set out in Article 44 of the Electoral Regulations.
6. Council members who have been involved in the preparation of an intended decision or policy proposal by the Executive Board in a capacity other than that of council member, or who have advised on such topics, must abstain from participation in advice or approval issued by the council in connection with the matter.
7. Council members are required to attend all meetings of the council, committee(s) on which they sit and presidium (if applicable). An absence from a meeting must be reported in a timely manner to the chair of that meeting and the registrar.
8. If a member's presence at the plenary meetings or committee meetings is less than 75% (rounded up) during an academic year, this shall lead to a reduction in remuneration, proportional to the time of absence, at the end of that academic year.

### **Article 2.2 Chair and vice chair**

1. The council selects a chair from the council or through formal procedures from outside the council in accordance with addendum 2.
2. If the chair is selected through a formal procedure from outside the council, they will not have a right to vote.<sup>4</sup>
3. If the chair is selected from the council, they will keep all the rights and obligations associated with being an elected council member.
4. The council shall select a vice chair from the council, preferably from a delegation other than the chair's delegation.

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<sup>4</sup> This is called a technical chair.

5. The vice chair shall replace the chair during any meetings the latter is unable to attend, or at the request of eleven members of the council.
6. Both the chair and the vice chair are elected for a maximum period of two years, unless they are from the student delegation, in which case they are elected for a maximum period of one year.
7. The chair may be reappointed by the council members once without the open recruitment procedure as laid down in addendum 2. Any subsequent reappointments of the chair are only possible after an open recruitment procedure. The vice chair may be reappointed as long as they remain eligible for the position of vice chair.
8. The council can decide to dismiss the chair or vice chair from their position prematurely if the council has lost confidence in them in accordance with the procedure laid down in Article 2.4.
9. If the chair and vice chair are both absent during a plenary meeting, the youngest council member shall deputise for them.
10. The chair and council are assisted by a registrar.

### **Article 2.3 Tasks of the chair**

1. The chair prepares and presides the council meeting, and is responsible for maintaining order during council meetings.
2. The chair prepares and presides over the presidium meetings, and, as far as possible in consultation with the presidium, coordinates the logistics of the activities of the committees.
3. The chair legally represents the council in cases as defined in Chapter 9, title 2, paragraph 3 of the act.
4. The chair meets regularly with the Executive Board with the goal of achieving and maintaining effective communication and efficiency during council meetings. The vice chair may participate in these meetings.
5. The council mandates the chair to monitor the budget and approve budget expenses up to 2500 EUR. At least three times a year, the chair shall meet with a university financial controller regarding the council's budget and shall subsequently present an overview of the expenses and the budget as well as the results of that meeting to the presidium.
6. If an expense exceeds 2500 EUR, the chair shall seek approval from the presidium for that expense before approving that expense.

### **Article 2.4 Vote of no confidence**

1. If one or more council members have concerns regarding the functioning of the chair, they can inform the confidential committee about this in writing.
2. After receiving the concerns as referred to in paragraph 1, the confidential committee shall organise an ad hoc council meeting without the chair or any other third parties present. A member from the confidential committee shall act as secretary to that meeting and shall take minutes of the meeting.
3. During the ad hoc meeting, as referred to in paragraph 2, the concerns raised shall be discussed by the council members. Following the discussion, the council may decide to:
  1. Task the confidential committee to discuss the concerns raised with the chair, hear the chair and try to find an amicable solution; or, if this proves reasonably unfeasible, then
  2. Hold a vote of confidence.
4. If a vote of confidence is held, votes shall be cast using closed and non-signed pre-printed ballot notes or digital forms on which the (no) confidence can be checked in the corresponding box.

5. If eleven or more council members give a vote of no confidence, the confidential committee shall inform the chair of this in writing as soon as possible and shall include the reasons for the vote.
6. Following the vote of no confidence, the chair shall step down immediately. If the chair is a member of the council, they shall remain so after the termination of their term as chair. A new chair is appointed in accordance with Article 2.2. The vice chair shall act as interim chair until a new chair is appointed. An interim vice chair is appointed by the council in accordance with the procedure laid out in Article 2.2.

## **CHAPTER 3 PRESIDIUM AND COMMITTEES**

### **Article 3.1 Presidium (see addendum 1 Roles of the members of the presidium and confidential committee)**

1. The council has a presidium.
2. The presidium is composed of the chair, the vice chair, the chairs of the standing committees, and, where necessary, one or more additional members of the council to guarantee that every delegation is represented by at least one council member.
3. The chair is a non-voting member of the presidium. In cases of a tie, the matter is referred to the council, if necessary outside the regular council meeting.
4. The presidium supports the chair in preparing the council and committee meetings and coordinating the activities of the council and committees.
5. The presidium is mandated to act on the council's behalf in urgent situations and during the period after the last council meeting of a given academic year and before the first council meeting in the following academic year (hereinafter: summer recess). An urgent situation is a situation in which waiting for the next scheduled council meeting to make a decision would result in significant negative consequences for the university or the council.
6. For purposes of paragraph 5 of this article, in cases of urgent situations or during the summer recess, a quorum for a meeting of the presidium shall consist of no less than half of the total number of members of the presidium.<sup>5</sup> Any decisions in urgent situations or during summer recess shall require a majority of half the members plus one in favour of that decision.
7. A mandate can be given by the council to the presidium for the execution of a specific task. The mandate must be given in writing and must describe the task to be carried out, the way in which the mandate must be exercised, and the period for which it is granted. The presidium must act in accordance with these instructions and may not exceed the scope of the mandate without the express consent of the mandator. The council shall have the right to revoke the mandate at any time by giving written notice to the presidium. The mandate will also be automatically terminated upon completion of the task or at the end of the agreed period.
8. The council mandates the presidium to consent, on the council's behalf, on the composition of the boards and committees linked to UM to the degree that the council is authorised and with the exception of the duties reserved for the confidential committee.
9. The provisions set out in these rules apply mutatis mutandis to decision-making, reporting, and advising by the presidium, unless specifically stipulated otherwise.
10. The presidium notifies the council of decisions it has taken on behalf of the council during the first council meeting following such a decision.
11. The presidium meetings are not public unless the presidium decides otherwise.

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<sup>5</sup> Rounded up in case of an uneven number of presidium members.

12. The report and the recommendations of the presidium are confidential insofar as the chair of the presidium has imposed confidentiality.
13. The presidium members are responsible for communicating (intended) advices and (intended) decisions that are relevant to the entire council, to their respective delegations, either via digital communication or by organising periodic meetings. The chair shall supervise this process.

### **Article 3.2 Committees**

1. The council has the following committees:
  - the strategy committee;
  - the research & education committee;
  - the operations committee;
  - the confidential committee (special committee).
2. Each council committee consists of a minimum of six and a maximum of ten members, and each delegation is represented in each of the committees by at least one member. Within each committee, the number of members from the personnel delegation and the number of members from the student delegation should be equal whenever possible. The committee meetings are open to the public, with the exception of the confidential part, which is only open to council members. The meetings of the confidential committee are not open to the public or other council members.
3. The confidential committee consists of four members: one academic staff member, one support staff member, and two student members.
4. When selecting a chair for one of the council committees, one or more candidates per committee shall be put forward. The chair of the council will submit nominations, in advance and with the approval of the candidates, for chairs of the committees, and will present these to the council for approval. Insofar as is possible, each committee chair shall come from a different delegation.
5. The task of the committees is to prepare the council's activities and advise it in the relevant areas.
6. In exceptional cases, the council may give a mandate, by unanimous vote, to a committee to handle affairs on the council's behalf where the council has the right of consent or advice, pursuant to the Maastricht University Council Regulation, or otherwise has the right to be heard. The committee will inform the council about the manner in which the committee exercised its mandate in the first council meeting following the exercise of the mandate.
7. In principle, the committees will convene before every council meeting, if subjects that concern the committees have been put on the council agenda or have been brought to the committees' attention.
8. The chair of the council can attend the committee meetings as an observer.
9. Articles 4.4, 4.6, 4.7, paragraphs 1 and 3, 4.8 and Article 4.14, paragraphs 1, 3, 4 and 5 apply to the committee meetings, reporting and advisory activities.
10. During the first council meeting of the new academic year, the composition of the committees will be presented to the council for approval. The provisional composition may be determined at an earlier point by the chair of the council and at the recommendation of the members.

### **Article 3.3 Ad hoc committees**

1. The council can decide to establish ad hoc committees to prepare specific subjects/items that are part of the council's tasks but are not part of the standing committees' remit.

2. The council lays down the ad hoc committees' tasks, composition and work method when establishing the committee, with due observance of the provisions set out in Chapter 3 of this regulation.

### **Article 3.4 Confidential committee (see addendum 1 Roles of the members of the presidium and confidential committee)**

1. The members and the chair of the confidential committee are appointed by the council at the first meeting after the summer recess.
2. The confidential committee members shall select a chairperson and a secretary from their own group.
3. The confidential committee has the mandate of the University Council and, pursuant to this mandate, operates on behalf of the University Council in the following matters:
  - coordinating the annual appraisal of the chair of the University Council according to a procedure established in addendum 2;
  - awarding the Dr Tanspenning;
  - awarding the honorary doctorate (honoris causa) during the Dies Natalis celebrations;
  - nominating members of the Supervisory Board to the Ministry of Education, Culture and Science (MOCW), according to Article 9.7 paragraph 2 of the Higher Education and Research Act;
  - the appointment of staff and student members of the confidential committee to serve on a selection committee put together by the Supervisory Board for the purposes of appointing members to the Executive Board, according to Article 9.3 paragraph 3 of the Higher Education and Research Act.
4. The confidential committee advises the University Council on the matters below by executing the established procedures and providing shortlists of possible candidates:
  - the appointment and reappointment of members of the Executive Board.
  - the appointment and reappointment of the chair of the University Council in accordance with addendum 2;
  - the appointment of the registrar to the University Council (one member is part of the selection committee);
  - the profiles of the members of the Executive Board and the Supervisory Board.
5. The confidential committee will hold extra meetings if:
  - the chair of the council requests it to do so;
  - at least four of its members request this, providing the reasons;
  - confidential issues within the council or presidium require this.
6. The confidential committee informs the University Council on progress being made with regard to its duties and mandate.
7. The members of the confidential committee shall be bound by a duty of confidentiality, including towards council members, regarding the information they receive during and about the interviews with and the (annual) appraisal of the chair, unless a majority of the council votes that it is necessary to make the documents available to the council members. A council member that is either a party in the concerned case, or was in charge of the decision-making (e.g. ad-hoc committee or confidential committee) cannot vote on this matter.

### **Article 3.5 Functioning of the chair**

1. The performance and functioning of the chair are reviewed and evaluated in accordance with the procedure set out in addendum 2.

## **CHAPTER 4 COUNCIL MEETINGS**

### **Article 4.1 Frequency**

1. The council meets according to a timetable jointly decided by the council and Executive Board before the beginning of each academic year. The registrar shall send the council members invites for the council meeting.
2. Further, the council meets:
  - if the presidium deems it necessary;
  - if the Executive Board deems it necessary; or
  - if at least four council members submit a reasoned request in writing to the chair.
3. If paragraph 2 applies, the chair convenes the meeting within eight working days after the request has been received by the chair from the presidium, the Executive Board or the council members.

### **Article 4.2 Determining and mailing the agenda and proposals**

1. The chair draws up the council meeting agenda in consultation with the Executive Board and includes:
  - the items submitted by the chair and the council members;
  - the agenda items submitted to the council by the Executive Board.
2. At least seven days before a council meeting, the registrar shall send the members the agenda for that meeting and relevant documents.
3. If the relevant documents, as referred to in the second paragraph are not sent to the council members at least seven days before the day of the meeting, the chair informs the council of the reasons for this. The presidium shall decide whether or not to discuss these documents in that specific meeting during its preparation of the council meeting.
4. At least seven days before a council meeting, the registrar shall make the agenda and documents referred to in the second paragraph public through a digital platform designated for this purpose, with the exception of the agenda items and documents pertaining to the confidential part of the council meeting.
5. The council's registrar makes available the agenda and documents referred to in the second paragraph, unless these documents are confidential, for inspection by interested third parties.
6. In the event that a council member submits a proposal on the grounds of Article 3.1 of the UM University Council regulations, the proposal must be in writing and include an explanation. The proposal is submitted to the chair, who will bring it to the attention of the Executive Board and the other council members.

### **Article 4.3 Quorum**

1. A quorum for a council meeting shall consist of no less than half of the total number of members of the council plus one. The result is rounded down.
2. If a quorum is not present when the chair opens the meeting, they shall adjourn the meeting for a maximum of thirty minutes. If, after the adjournment, a quorum is still not present, the chair shall close the meeting.
3. If a meeting is closed in accordance with paragraph 2, the chair shall schedule a new meeting to take place after a minimum of four and a maximum of ten working days.



#### **Article 4.4 Attendees**

1. As a rule, the members and the secretary of the Executive Board will attend the council meetings and partake in the deliberations.
2. The Executive Board can be assisted by advisers at the meeting.
3. The council may invite other people to attend the meeting in an advisory capacity and partake in the deliberation.
4. If an attendance list is used during a council meeting, all members present shall sign it during the meeting.
5. In principle, the registrar will attend the council meeting, but will not partake in the deliberations.
6. The council's public meetings may be attended by third parties. Third parties may not partake in the deliberations.
7. The chair can permit third parties to speak and allocates the time available for this. The third-party/parties and council members will not discuss any remarks made by a third party/third parties in their presence. The Executive Board, however, has the ability to shortly respond and clarify remarks made by a third party/third parties.

#### **Article 4.5 Laying down the agenda**

1. The council will decide which agenda items are discussed. The subjects submitted by the Executive Board will be put on the agenda of the first council meeting following the submission, unless the Executive Board explicitly agrees that discussion of the subject by the council be postponed for a period to be determined by the Executive Board.
2. The council can decide to address items not included on the agenda following a proposal by the chair.
3. The council will determine the order of agenda items following a proposal by the chair.

#### **Article 4.6 Public access**

1. Council meetings are public unless Article 4.7 applies.
2. Unless designated as confidential by the council and/or Executive Board, the meeting's documents are public.

#### **Article 4.7 Closed deliberation**

1. Confidential documents sent to the council members are dealt with in the closed part of the meeting. Further, the council holds closed meetings when the chair deems this necessary, when at least four council members or the Executive Board request so, and when the council deliberates or makes decisions on:
  - business plans of companies integrated or to be integrated into the UM Holding BV, or businesses associated with UM Holding BV;
  - matters whereby the interests or privacy of specific employees and/or students may be harmed as a result of public deliberations; and
  - matters whereby the interests of the university or its units may be harmed as a result of public deliberations.
2. The chair shall ensure that decisions made in a closed part of the meeting are announced to the relevant parties as soon as possible.

3. The members and secretary of the Executive Board, the advisers of the Executive Board, other individuals who participate in the deliberations in an advisory capacity at the invitation of the council, the council members in attendance, the registrar to the University Council and employees of the secretariat to the representative bodies can attend a closed part of the meeting.

#### **Article 4.8 Order during the meeting**

1. The chair maintains order during the meeting. To this end, they can briefly adjourn the meeting to restore order and, if the order is disturbed again after reconvening the meeting, close the meeting.
2. The chair can exclude attendees who disturb order during the meeting from the deliberations or the meeting.
3. The chair can decide to allocate speaking times at the start of each agenda item. Speaking times apply to all speakers. Speaking times that have not been used up may not be transferred to another speaker.
4. The sequence in which the chair can give the floor to speakers can be broken when an attendee requests to be given the floor to submit an order-related item. The chair decides, without discussion by the council, on all matters regarding order immediately after these have been presented.
5. The council members or the Executive Board can request the chair to adjourn the meeting.
6. The chair decides on the request to adjourn the meeting and may ask for the council's opinion in this matter.

#### **Article 4.9 Closure of deliberations**

1. After closing the deliberations, or if nobody asks to be given the floor, the chair formulates the content of the decision. By default, every decision made by the council is subject to a vote, unless none of the council members objects to the chair's proposal to forgo a vote and consider the decision to have been taken unanimously.
2. The staff and student delegations separately decide on matters for which the council's staff or student delegation have the right of approval while the other delegation has the right of advice, on the understanding that advice-related decision-making precedes approval-related decision-making.

#### **Article 4.10 Voting**

1. The members vote independently according to their personal opinion without instructions from or consultation with others.
2. Unless a different majority is required by or pursuant to the act, decisions are made by normal majority of the number of votes cast 'in favour', 'against' or 'blank', whereby the majority is determined on the basis of the votes 'in favour' and 'against'. The blank votes and abstentions are not considered.
3. Members vote by a showing of hands, unless five or more council members or the chair request an anonymous vote. In that case, voting shall be done through closed, non-signed ballot notes.
4. The council can also choose to vote by digital methods.
5. Except when members request a vote by roll call as defined in Article 4.11, attending members can, if so requested, cast a vote explanation, i.e. request a brief recorded motivation for the vote to be cast.
6. If no decisions are made in a meeting on the grounds of equal division of votes, the making of a decision is postponed to the next meeting. In that meeting, the deliberations may be reopened. If in this meeting no decisions can be made again on

the grounds of equal division of votes, the proposed decisions submitted by the Executive Board for approval or advice are deemed to have acquired approval or positive advice.

7. In the event of equal division of votes on a subject of which decision-making cannot be postponed in the opinion of the Executive Board and/or the chair, the council casts its votes a second time in the same meeting. The provisions in the last sentence of paragraph 5 apply mutatis mutandis.

#### **Article 4.11 Voting by roll call**

1. If five or more members oppose the procedure set forth in Article 4.10, paragraph 4, the council can vote by roll call according to the name order on the attendance list. The vote begins with the member appointed by the chair.
2. In the event of a roll call vote, the chair, provided that they are a council member, casts their vote last.
3. In the event of a roll call, the members vote using the words 'in favour', 'against', 'blank' or 'abstention' without any other addition.
4. Once cast, a vote cannot be changed.
5. In the event of a vote by roll call, the provisions of Article 4.10 paragraphs 5 and 6 apply mutatis mutandis.

#### **Article 4.12 Proxy voting**

1. Any member may authorise a proxy to vote on their behalf by submitting a written proxy to the chair prior to the meeting for which the proxy is appointed.
2. Proxy voting shall be permitted for all meetings.
3. The proxy shall contain the name of the council member appointing the proxy, the name of the proxy, and a clear indication of the meeting(s) for which the proxy is being appointed.
4. Each member shall be entitled to appoint only one proxy for any given meeting. Each council member acting as a proxy may only do so for one other council member.
5. The registrar shall maintain a record of all proxy appointments.
6. A member may revoke their proxy appointment at any time by submitting a written revocation notice to the chair prior to or during the meeting.

#### **Article 4.13 Voting for individual people**

1. Votes for individual people are cast using closed and non-signed pre-printed ballot notes or digital forms, whereby the box next to a candidate's name can be checked. Ballots that do not have the name of one of the candidates checked are considered abstentions. Ballots with more than one name checked are invalid.
2. If more than one position is to be filled and a list of nominees is available, the council shall first vote, in the order of nominees, on those positions for which there is more than one candidate, and subsequently on the remaining nominees.
3. If none of the candidates wins a majority of votes after the first round, a second round takes place with the same candidates.
4. If none of the candidates wins a majority of votes after a second round, a third round takes place with the top two candidates who received the most votes. In the event of an equal division of votes in the third round, fate decides via coin toss which candidate is elected.

#### **Article 4.14 Reporting**

1. The registrar prepares the minutes of each council meeting, accompanied by the decisions and attendance list.

2. The council meetings are audio recorded. The audio recordings are kept by the registrar for two years.
3. Unless designated as confidential, the report, decisions and audio recordings are publicly accessible by request.
4. The council members are informed regarding the minutes of a public meeting and then those minutes are submitted to the council for approval by putting them on the agenda for the next council meeting.
5. The minutes of a closed part of the meeting are submitted for approval in the closed part of the meeting and made available to the council members. The same applies mutatis mutandis to reports of the closed part of the committee meetings.

#### **Article 4.15 Annual report**

1. Each November, the council decides on a report of its activities during the session year as defined in Article 9.32 paragraph 8 of the act.
2. The minutes are sent to the Executive Board for information/inspection and made available online.

### **CHAPTER 5 SPECIAL PROVISIONS**

#### **Article 5.1 The right of initiative**

1. The council is authorised to submit proposals and express opinions to the Executive Board on all matters relating to the university.
2. In accordance with Article 9.32 paragraph 2 of the act, the Executive Board will provide a written response, stating reasons, in the form of a proposal within three months.
3. Before issuing the response as referred to in Article 5.1, paragraph 2, the Executive Board will give the council the opportunity to consult with it at least once.
4. If the proposal of the council as referred to in Article 5.1, paragraph 1, concerns a matter that falls under the authority of another body than the University Council, the Executive Board will report this fact. However, in such instances, the Executive Board will still consult the University Council, as referred to in Article 5.1, paragraph 3.

#### **Article 5.2 Consultation with the Supervisory Board**

1. At least twice a year, the University Council will consult with the Supervisory Board of Maastricht University.
2. The council will decide whether this is a plenary meeting with all council members attending or whether a council delegation will consult on its behalf. In either case, the council chair will be part of the delegation.
3. The consultation with the Supervisory Board will cover, as a minimum, the general state of affairs within the university. In addition, more specific matters may be discussed.
4. The council chair will consult with the secretary of the Supervisory Board and/or its members about the agenda for the meeting. The agenda is sent to the participants at least ten working days prior to the meeting. In the event of urgency, subjects may be added to the agenda when the meeting begins, unless the chair of the Supervisory Board or the chair of the University Council objects.
5. The meeting with the Supervisory Board is closed.

6. The minutes of the meeting with the Supervisory Board are not public, unless the chair decides otherwise with the approval of the Supervisory Board.
7. The provisions of Article 4.4 do not apply to the meeting with the Supervisory Board. At the meeting, the registrar of the University Council and the Secretary of the Supervisory Board are present.
8. In consultation with the chair of the Supervisory Board, the chair may decide to invite other individuals to the meeting.

## **CHAPTER 6 FINAL PROVISIONS**

### **Article 6.1 Unforeseen circumstances**

In the event of doubt about the application or explanation or any provision in these rules of procedure, and in events for which they do not provide, the council shall decide following the chair's proposal after consultation with the presidium.

### **Article 6.2 Amendment and adoption of the rules of procedure**

The council may amend and re-adopt the rules of procedure at all times. After adoption thereof by the council, the chair will ensure that the Executive Board is informed of such changes.

### **Article 6.3 Entry into force**

These rules of procedure take effect on the day on which they are adopted.

Adopted by the council in its meeting of 26 June 2003 and amended in its meeting of 28 June 2017, 29 May 2019, and 28 June 2023.

Maastricht, June 2023

## **Addendum 1 Roles of the members of the presidium**

### **The registrar of the University Council**

The registrar is the secretary of the presidium. The registrar makes the agenda of the presidium together with the presidium Members and publishes the agenda of the presidium with all the accompanying documents. The registrar makes the minutes of the presidium. The registrar is notified if a presidium member cannot be present. The registrar communicates with the registrar of the EB concerning matters that the presidium wants to have addressed by the presidium. All external communication from and to the council, its presidium, and its committees goes through the registrar. An exception is the confidential committee, which is allowed to have external communication through its chair related to its confidential tasks.

The registrar will always be involved in presidium and council meetings and it is only permissible to exclude the registrar when any issues or communications concern the registrar themselves.

### **The chair of the University Council**

The chair of the University Council is also the chair of the presidium. They chair and prepare the presidium meetings as well as the plenary meetings. Additionally, the chair participates in regular meetings with the Executive Board and the vice chair to ensure effective communication and efficiency in case of absence. The chair formulates the written advice based on the council's decisions.

### **The vice chair of the University Council**

The vice chair chairs the presidium in the absence of the chair. If the vice chair is a student, the vice chair initiates contact with the different student parties of the UC and functions as an intermediate between the student delegation and the presidium. The vice chair is also allowed to participate in the meetings with the Executive Board. In cases when and where the chair is not able to fulfil their duties, the vice chair will preside and prepare the meetings. Additionally, the vice chair has individual meetings with the chair.

### **The chairs of the committees**

The committee chairs report to the presidium about the agenda meetings for the different committees and prepare the committee meetings with the other members of the presidium and prepare the plenary meeting with the other members of the presidium. When needed, the members of the presidium consult with or inform other members of their fractions about non-confidential presidium matters.

### **The confidential committee**

The University Council has, next to the topic-driven committees Strategy, Research and Education, and Operations, a confidential committee.

The confidential committee (CC) consists of four members, two representatives of the student delegation, one representative of the support staff delegation, and one

representative of the scientific staff delegation. Members of the CC are chosen from and by the University Council (UC) members for the period of the academic year. If a member leaves the UC during the academic year, this person will no longer be a member of the CC. However, a member can decide to leave the CC. A new member will be chosen for the remainder of the academic year in case of a vacancy.

#### **The chair of the confidential committee**

- The chair of the CC is a member of the CC and is chosen from and by the members of the CC.
- The chair initiates the CC meetings and chairs these meetings.
- The chair facilitates contact with the presidium, UC, Executive Board, Supervisory Board, and other bodies on behalf of the CC.

#### **Member of the confidential committee**

- A member of the confidential committee cannot be part of the presidium simultaneously.

## **Addendum 2 Procedure for the performance review, and reappointment and appointment of the chair**

### **1. Performance review of the chair**

#### **1.1 Interviews**

In accordance with Article 2.3 paragraph 6 of UC Rules of Procedure (hereinafter: RoP), the chair is initially appointed for a term of two years. During that timeframe, three interviews shall be carried out by the confidential committee, specifically at the beginning of the term (two months after the start of the academic year), during the midpoint (at 12 months), and at the end of the term (at 18 months). In the first interview, the expectations of the chair shall be discussed, in the second interview, key performance indicators shall be evaluated, and in the last interview the progress compared to the second evaluation is discussed.

If indications arise that the chair is not meeting the predetermined expectations and impeding the council's work, the confidential committee may schedule an additional interview or bring forward a planned interview.

#### **1.2 Procedure**

The secretary of the confidential committee shall contact the following parties to submit their written input for the second and the third interview, one month prior to the planned interview:

- All UC members
- The members of the Executive Board
- The UC registry

All persons involved will receive questions (closed-ended questions on a scale and an open comment box) via a Qualtrics-generated survey in their email, and the option to request a face-to-face meeting with the confidential committee.

Questions could include:

General questions

1. How would you describe the chair in three words?
2. What do you think about their way of communicating, and what are their best attributes and points of improvement on this topic?
3. Where is, according to you, the added value of this chair regarding the development of the role and quality of the participatory bodies at this university?
4. What areas could the chair improve in?
5. Any other comments on the performance of the chair?

Specific questions for the UC members:

1. Do you feel heard by this chair, and do you feel they represent the council's interest well?
2. How do you experience their way of chairing/leading the council and what would you like to see them do more often?
3. For what issues do you go to them, and for what would you like to go to them (but you don't yet)?



Specific questions for the EB:

- How is your working relationship with the chair?
- Do you have any feedback that you would like to share with the council?
- Do you have any concerns that you would like to share with the council?

The secretary of the confidential committee will summarise and anonymise the feedback into a single, final document, including a list of points that are going well and points that need attention. The result of the evaluation might be that the confidential committee suggests a specific training to be completed by the chair. The council will have access to the final report, but the confidential committee will have access to the raw data.

This report will be discussed between and signed by the chair and the members of the confidential committee. The final report shall be archived in a shared digital folder, which is only accessible to the current council members and one administrator. When the term ends (or the chair leaves the council pre-emptively), the documents related to the performance interviews, including the final report and the raw data supporting it, shall be deleted by the secretary of the confidential committee after 12 months following the end of the academic year in which the interviews took place.

## **2. Reappointment and appointment of chair**

### **2.1 Background**

After a positive performance interview at the end of a chair's first term, the UC can decide to offer the chair a second term. After the second term, there will be a vacancy, open to the UM community, including the sitting chair.

### **2.2 Timeline and procedure**

After the 'end-of-term' reflection interview at 18 months, the confidential committee shall meet with the presidium, excluding the chair, to discuss the report resulting from the performance interview. The goal is to draft an advice, supported by arguments, to the UC about a go/no-go decision. A 'go' advice entails offering the UC chair a second term, in case it was their first term, or to advise the UC to inform the chair to solicit a third (or subsequent) term in case it was their second (or subsequent) term. In case of a 'no-go', the advice to the UC will be to vote against a reappointment in case it was the chair's first. A separate meeting organised by the vice chair shall take place with all UC members to vote confidentially after having received the advice from the confidential committee. The advice, together with the outcome of voting ('majority in favour or not in favour', without explicitly mentioning the number) will be included in a letter that is shared with the chair.

When the chair is reappointed, the vice chair informs the Executive Board and the Observant with an official letter. The registrar deals with the official channels (i.e., preparing the official decision and sending this to the registrar of the EB).

### **2.3 Vacancy**

In case it is decided not to offer a second term, the confidential committee will be asked to start the search for a new chair. They will draft a vacancy text, based on the previous examples with adjustments based on the current needs of the council. This will be shared with the council and made definite after approval by the council through a simple majority vote.

The confidential committee is in charge of creating a short list of candidates after the profiles of the applicants have been reviewed by them. They will then plan interviews with the selected candidates. The list of interview questions will be shared with the council beforehand so that amendments can be made. The candidates will be asked to present themselves to the confidential committee in a short pitch.

The registrar of the council will be asked to be present during the interviews and take minutes during the question round. The confidential committee will then make a ranking based on the information they received and their impressions. They will present these findings in an extra meeting with the whole UC council, organised by the chair of the confidential committee. Council members can ask to access the minutes of the interviews to have an in-depth insight. At the end of this meeting, there will be a confidential voting procedure. In case of an ex-aequo between two or more candidates, a new discussion can be opened followed by a new voting procedure. In case no decision can be reached the council might opt to hear the candidates again in separate individual meetings followed by another voting session, or may decide to re-advertise the vacancy.

### **Addendum 3 Dispute resolution procedure**

At the first plenary meeting of each academic year, a ranked shortlist of three staff members and three student members for an ad hoc committee for dispute resolution shall be made. The ad hoc committee shall consist of three members: the vice chair, a staff member and a student member. In case of a dispute (see below), the ad hoc committee shall be assembled based on the previously mentioned ranking. This means that the staff and student members ranked first shall take place in the committee together with the vice chair. If (one of) those members is involved in the dispute, the person ranked second shall take place in the ad hoc committee and so forth. If the vice chair is involved in the dispute, they shall be replaced by the staff member ranked third. If all shortlisted members of the ad hoc committee are involved in the dispute, the ad hoc committee shall be comprised of three chairs from faculty councils (selected by means of a lottery).

The ad-hoc committee will designate a chairperson and a secretary from its own members. The chairperson will be in charge of handling procedural matters, while the secretary will be responsible for scheduling appointments and taking meeting minutes. The ad hoc committee is assisted by a legal advisor who shall advise on the legal framework of the dispute at hand.

A dispute occurs when there is a conflict or disagreement involving at least one UC member or the UC chair with one or more UC member(s) or the UC chair. Such disputes shall be made known via email to the ad hoc committee, via the vice chair or the highest-ranked member not involved in the dispute.

Once a dispute has been made known, the ad hoc committee is formed in accordance with the above. The task of the ad hoc committee is to investigate the (nature of the) dispute. It may do so through individual interviews with the persons involved. The minutes of these interviews will be sent to the person concerned for approval within a maximum of seven calendar days. If that person does not respond within that period, the minutes shall be considered adopted.

Based on the investigation, the ad hoc committee may refer the person(s) who have made the dispute known to the UM central complaints point (CSP for students, CCP for staff) if it feels the complaints point is the competent organ for dealing with the dispute. Following the individual interviews, the ad hoc committee may invite those involved in the dispute to a meeting to present its findings. Members of the UC may attend this meeting as well as listeners, unless decided otherwise by the ad hoc committee. The chair of the ad hoc committee shall try to mediate between those involved to come up with a reasonable solution. Minutes shall be made of that meeting. The minutes of this meeting will be sent to all attendees for approval within a maximum of seven calendar days. If a person does not respond within that period, the minutes shall be considered accepted by that person.

The ad hoc committee shall draw up a report regarding its findings, which shall be made available to the members of the council at their request, as well as an advice for a proposed solution, if possible. If the mediation is unsuccessful after three separate attempts (meetings), then the dispute must be considered unsolvable. In such case, the UC shall decide by simple majority on the proposed solution by the ad hoc committee.

If the ad hoc committee cannot present a solution to the UC, if the proposed solution has not received a simple majority of the votes or if ten or more UC members are involved in

the dispute, the chair shall request the Executive Board to organise an interim election. All matters deemed controversial by either the UC or the Executive Board shall be postponed until the first council meeting of the newly elected UC.